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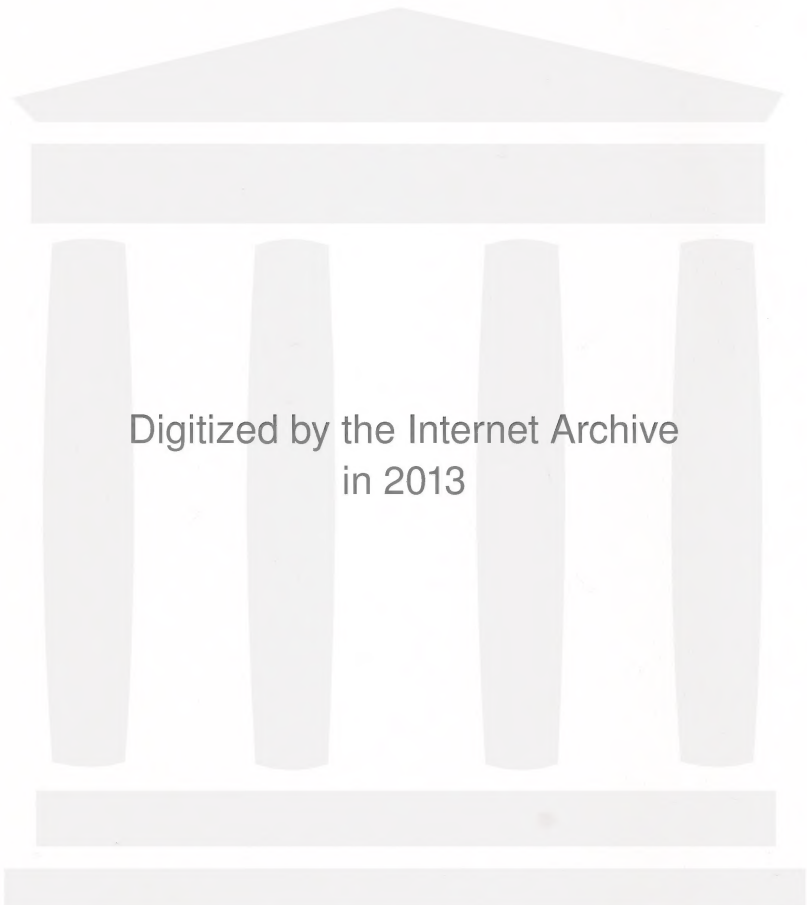
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JOURNAL

OF THE

House of Representatives

OF THE

1995

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

FIRST SESSION 1995

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OFFICERS AND MEMBERS

OF THE

HOUSE OF REPRESENTATIVES

FIRST SESSION 1995

Harold J. Brubaker, *Speaker*.....Asheboro, Randolph County
Carolyn B. Russell, *Speaker Pro Tempore*.....Goldsboro, Wayne County
Denise G. Weeks, *Principal Clerk*.....Willow Springs, Wake County
Joan N. Danieley, *Reading Clerk*.....Winston-Salem, Forsyth County
Clyde Cook, Jr., *Sergeant-at-Arms*.....Garner, Wake County

REPRESENTATIVES

1st District: (1) Camden, Currituck, Pasquotank, Perquimans (Part).
W.C. "Bill" Owens, Jr. (D) ..... Pasquotank ..... Elizabeth City

2nd District: (1) Beaufort, Craven (Part), Hyde, Pitt (Part).
Zeno L. Edwards, Jr. (R) ..... Beaufort ..... Washington

3rd District: (1) Craven (Part), Pamlico (Part).
John M. Nichols (R) ..... Craven ..... New Bern

4th District: (2) Carteret, Onslow (Part).
Jean R. Preston (R) ..... Carteret ..... Emerald Isle
Macon S. Snowden (R) ..... Carteret ..... Pine Knoll Shores

5th District: (1) Bertie (Part), Gates, Hertford (Part), Northampton.
Howard J. Hunter, Jr. (D) ..... Northhampton ..... Conway

6th District: (1) Bertie (Part), Hertford (Part), Martin (Part), Pitt (Part), Washington (Part).
Richard Eugene Rogers (D) .... Martin ..... Williamston

7th District: (1) Edgecombe (Part), Halifax (Part), Martin (Part), Nash (Part).
L. W. Locke (D) ..... Halifax ..... Enfield

8th District: (1) Edgecombe (Part), Greene (Part), Martin (Part), Pitt (Part).
Linwood E. Mercer (D) ..... Pitt ..... Farmville

9th District: (1) Greene (Part), Pitt (Part)
M. W. Aldridge (R) ..... Pitt ..... Greenville

10th District: (1) Duplin (Part), Jones (Part), Onslow (Part).
Cynthia B. Watson (R) ..... Duplin ..... Rose Hill

11th District: (1) Lenoir (Part), Wayne (Part).
Louis M. Pate, Jr. (R) ..... Wayne ..... Mount Olive

12th District: (1) Onslow (Part), Pender (Part), Sampson (Part).
Edward C. Bowen (D) ..... Sampson ..... Harrells

13th District: (1) New Hanover (Part).
Dan McComas (R) ..... New Hanover ..... Wilmington

14th District: (2) Brunswick (Part), Columbus (Part), New Hanover (Part), Robeson (Part).
Dewey L. Hill (D) ..... Columbus ..... Whiteville
E. David Redwine (D) ..... Brunswick ..... Shallotte

15th District: (1) Wake (Part).
Sam Ellis (R) ..... Wake ..... Raleigh

16th District: (1) Cumberland (Part), Hoke (Part), Moore (Part), Robeson (Part), Scotland (Part).
Douglas Y. Yongue (D) ..... Scotland ..... Laurinburg

17th District: (2) Cumberland (Part).
Mary E. McAllister (D) ..... Cumberland ..... Fayetteville
Larry Shaw (D) ..... Cumberland ..... Fayetteville

18th District: (2) Cumberland (Part).
John W. (Bill) Hurley (D) ..... Cumberland ..... Fayetteville
Billy Richardson (D) ..... Cumberland ..... Fayetteville

19th District: (2) Harnett, Lee, Sampson (Part).
Willis Brown (D) ..... Harnett ..... Buies Creek
Donald Davis (R) ..... Harnett ..... Erwin

20th District: (1) Franklin (Part), Johnston (Part), Nash (Part).
Billy J. Creech (R) ..... Johnston ..... Clayton

21st District: (1) Wake (Part).
Daniel T. Blue, Jr. (D) ..... Wake ..... Raleigh

22nd District: (2) Franklin (Part), Granville (Part), Halifax (Part), Person, Vance (Part), Warren (Part).
Jim Crawford (D) ..... Granville ..... Oxford
Michael S. Wilkins (D) ..... Person ..... Roxboro

23rd District: (3) Durham (Part).

Paul Luebke (D)	Durham	Durham
H. M. Michaux, Jr. (D)	Durham	Durham
George W. Miller, Jr. (D)	Durham	Durham

24th District: (2) Chatham (Part), Orange (Part).

Anne C. Barnes (D)	Orange	Chapel Hill
Joe Hackney (D)	Orange	Chapel Hill

25th District: (3) Alamance, Caswell, Orange (Part), Rockingham (Part).

Cary D. Allred (R)	Alamance	Burlington
Ken Miller (R)	Alamance	Mebane
Dennis Reynolds (R)	Alamance	Burlington

26th District: (1) Guilford (Part).

Alma Adams (D)	Guilford	Greensboro

27th District: (1) Davidson (Part), Guilford (Part).

Steve Wood (R)	Guilford	High Point

28th District: (1) Guilford (Part).

Flossie Boyd-McIntyre (D)	Guilford	Jamestown

29th District: (1) Guilford (Part).

Joanne W. Bowie (R)	Guilford	Greensboro

30th District: (1) Chatham (Part), Guilford (Part), Randolph (Part).

Arlie F. Culp (R)	Randolph	Ramseur

31st District: (1) Moore (Part).

Richard T. Morgan (R)	Moore	Pinehurst

32nd District: (1) Montgomery (Part), Richmond, Scotland (Part).

Hugh A. Lee (D)	Richmond	Rockingham

33rd District: (1) Anson, Montgomery (Part), Stanly (Part).

Foyle Hightower, Jr. (D)	Anson	Wadesboro

34th District: (1) Union (Part).

Fern Shubert (R)	Union	Marshville

35th District: (1) Rowan (Part).

Charlotte A. Gardner (R)	Rowan	Salisbury

36th District: (1) Mecklenburg (Part).

Jim Black (D)	Mecklenburg	Matthews

37th District: (1) Davidson (Part).
Paul R. McCrary (D) ..... Davidson ..... Lexington

38th District: (1) Guilford (Part), Randolph (Part).
Harold J. Brubaker (R) ..... Randolph ..... Asheboro

39th District: (1) Forsyth (Part).
Lyons Gray (R) ..... Forsyth ..... Winston-Salem

40th District: (3) Alleghany, Ashe, Stokes, Surry, Watauga.
Rex L. Baker (R) ..... Stokes ..... King
William S. (Bill) Hiatt (R) ..... Surry ..... Mt. Airy
Gene Wilson (R) ..... Watauga ..... Boone

41st District: (2) Alexander (Part), Wilkes, Yadkin.
John W. Brown (R) ..... Wilkes ..... Elkin
George M. Holmes (R) ..... Yadkin ..... Hamptonville

42nd District: (1) Iredell (Part).
Frank Mitchell (R) ..... Iredell ..... Olin

43rd District: (1) Catawba (Part), Iredell (Part)
C. Robert Brawley (R) ..... Iredell ..... Mooresville

44th District: (1) Gaston (Part), Lincoln (Part).
John R. Gamble, Jr. (D) ..... Lincoln ..... Lincolnton

45th District: (2) Catawba (Part), Gaston (Part), Lincoln (Part).
Cherie Killian Berry (R) ..... Catawba ..... Newton
Joe L. Kiser (R) ..... Lincoln ..... Vale

46th District: (2) Avery, Burke (Part), Caldwell (Part), Catawba (Part), Mitchell.
Charles F. Buchanan (R) ..... Mitchell ..... Green Mountain
Gregg Thompson (R) ..... Mitchell ..... Spruce Pine

47th District: (1) Burke (Part).
Walter G. Church, Sr. (D) ..... Burke ..... Valdese

48th District: (3) Cleveland, Gaston (Part), Polk (Part), Rutherford.
Jack Hunt (D) ..... Cleveland ..... Shelby
Debbie A. Clary (R) ..... Cleveland ..... Shelby
John Weatherly (R) ..... Cleveland ..... Kings Mountain

49th District: (1) Burke (Part), McDowell, Yancey.
Robert C. (Bob) Hunter (D) ..... McDowell ..... Marion

50th District: (1) Henderson (Part), Polk (Part).
Larry T. Justus (R) ..... Henderson ..... Hendersonville

51st District: (3) Buncombe (Part).
Lanier Cansler (R) ..... Buncombe ..... Asheville
Larry R. Linney (R) ..... Buncombe ..... Asheville
Wilma Sherrill (R) ..... Buncombe ..... Asheville

52nd District: (2) Graham, Haywood, Jackson (Part), Madison,Swain.
Charles M. Beall (D) ..... Haywood ..... Clyde
Liston B. Ramsey (D) ..... Madison ..... Marshall

53rd District: (1) Cherokee, Clay, Jackson (Part), Macon.
James C. Carpenter (R) ..... Macon ..... Otto

54th District: (1) Mecklenburg (Part).
John B. McLaughlin (D) ..... Mecklenburg ..... Newell

55th District: (1) Mecklenburg (Part).
W. Edwin McMahan (R) ..... Mecklenburg ..... Charlotte

56th District: (1) Mecklenburg (Part).
Martha Alexander (D) ..... Mecklenburg ..... Charlotte

57th District: (1) Mecklenburg (Part).
Connie Wilson (R) ..... Mecklenburg ..... Charlotte

58th District: (1) Mecklenburg (Part).
Ruth M. Easterling (D) ..... Mecklenburg ..... Charlotte

59th District: (1) Mecklenburg (Part).
W. Pete Cunningham (D) ..... Mecklenburg ..... Charlotte

60th District: (1) Mecklenburg (Part).
Beverly Earle (D) ..... Mecklenburg ..... Charlotte

61st District: (1) Wake (Part).
Charles B. Neely, Jr. (R) ..... Wake ..... Raleigh

62nd District: (1) Wake (Part).
David Miner (R) ..... Wake ..... Cary

63rd District: (1) Durham (Part), Wake (Part).
Arlene Pulley (R) ..... Wake ..... Raleigh

64th District: (1) Wake (Part).
Bob Hensley (D) ..... Wake ..... Raleigh

65th District: (1) Wake (Part).
Rick Eddins (R) ..... Wake ..... Raleigh

66th District: (1) Forsyth (Part).
Larry W. Womble (D) ..... Forsyth ..... Winston-Salem

67th District: (1) Forsyth (Part).
Warren C. (Pete) Oldham (D) .... Forsyth ..... Winston-Salem

68th District: (1) Buncombe (Part), Henderson (Part), Transylvania.
W. M. (Bill) Ives (R) ..... Transylvania ..... Brevard

69th District: (1) Mecklenburg (Part).
J. Shawn Lemmond (R) ..... Mecklenburg ..... Matthews

70th District: (1) Edgecombe (Part), Nash (Part), Wilson (Part).
Milton F. (Toby) Fitch, Jr. (D) ... Wilson ..... Wilson

71st District: (1) Edgecombe (Part), Nash (Part), Pitt (Part), Wilson (Part).
Norris Tolson (D) ..... Edgecombe ..... Pinetops

72nd District: (1) Nash (Part), Wilson (Part).
Gene Arnold (R) ..... Nash ..... Rocky Mount

73rd District: (1) Forsyth (Part), Rockingham (Part).
P. Wayne Sexton (R) ..... Rockingham ..... Stoneville

74th District: (1) Davidson (Part), Davie.
Julia Craven Howard (R) ..... Davie ..... Mocksville

75th District: (1) Cumberland (Part).
Alex Warner (D) ..... Cumberland ..... Hope Mills

76th District: (1) Gaston (Part), Mecklenburg (Part).
W. W. Dickson (R) ..... Gaston ..... Gastonia

77th District: (1) Greene (Part), Lenoir (Part), Wayne (Part).
Carolyn B. Russell (R) ..... Wayne ..... Goldsboro

78th District: (1) Granville (Part), Vance (Part), Warren (Part).
Stan Fox (D) ..... Granville ..... Oxford

79th District: (1) Craven (Part), Jones (Part), Lenoir (Part), Pamlico (Part).
William L. Wainwright (D) ..... Craven ..... Havelock

80th District: (1) Onslow (Part).
Robert Grady (R) ..... Onslow ..... Jacksonville

81st District: (1) Cabarrus (Part), Union (Part).
Timothy N. Tallent (R) ..... Cabarrus ..... Concord

82nd District: (1) Cabarrus (Part), Stanly (Part), Union (Part).
Bobby H. Barbee, Sr. (R) ..... Stanly ..... Locust

83rd District: (1) Rowan (Part).
Eugene McCombs (R) ..... Rowan ..... Faith

84th District: (1) Forsyth (Part), Guilford (Part).
Michael (Mike) Decker (R) ..... Forsyth ..... Walkertown

85th District: (1) Hoke (Part), Robeson (Part).
Ronnie Sutton (D) ..... Robeson ..... Pembroke

86th District: (1) Chowan, Dare, Perquimans (Part), Tyrrell, Washington (Part).
William T. Culpepper, III (D) ... Chowan ..... Edenton

87th District: (1) Hoke (Part), Robeson (Part), Scotland (Part).
Frances M. Cummings (R) ..... Robeson ..... Lumberton

88th District: (1) Forsyth (Part).
Theresa H. Esposito (R) ..... Forsyth ..... Winston-Salem

89th District: (2) Guilford (Part).
John A. Cocklereece (R) ..... Guilford ..... Greensboro
Joanne Sharpe (R) ..... Guilford ..... Greensboro

90th District: (1) Cabarrus (Part).
Robert C. Hayes (R) ..... Cabarrus ..... Concord

91st District: (1) Alexander (Part), Caldwell (Part), Catawba (Part).
George S. Robinson (R) ..... Caldwell ..... Lenoir

92nd District: (1) Durham (Part), Wake (Part).
J. Russell Capps (R) ..... Wake ..... Raleigh

93rd District: (1) Gaston (Part), Mecklenburg (Part).
John Rayfield (R) ..... Gaston ..... Belmont

94th District: (1) Davidson (Part), Randolph (Part).
Jerry C. Dockham (R) ..... Davidson ..... Denton

95th District: (1) Johnston (Part).
Leo Daughtry (R) ..... Johnston ..... Smithfield

96th District: (1) Bladen, Cumberland (Part), New Hanover (Part), Pender (Part), Sampson (Part).
Edd Nye (D) ..... Bladen ..... Elizabethtown

97th District: (1) Duplin (Part), Sampson (Part), Wayne (Part).
Jerry Braswell (D) ..... Wayne ..... Goldsboro

98th District: (1) Brunswick (Part), Columbus (Part), New Hanover (Part), Pender (Part).
Thomas E. Wright (D) ..... New Hanover ..... Wilmington

HOUSE JOURNAL

SESSION 1995

FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, January 25, 1995

This day, in accordance with the Constitution of the State of North Carolina and G.S. 120-11.1, which fixes the date for the meeting of the General Assembly of North Carolina, the members of the House of Representatives assemble in the House Chamber of the State Legislative Building in the City of Raleigh at 12:00 Noon and are called to order by the Honorable Denise G. Weeks, House Principal Clerk.

The following prayer is offered by Jonathan Brubaker.

"Dear Lord. This is a big day for my Dad. I am very proud of him. Please be with him, guide him, and protect him.

"Be with all those serving with him to better serve You and others. As the Bible states, help them to acknowledge You in all their ways and You will direct their paths. Bless our leaders everywhere with Your grace.

"Thank You for our great country and our great state. Amen."

The Body is led in the Pledge of Allegiance to the American Flag by Justin Brubaker.

The roll is called and one hundred nineteen Members-elect answer when their names are called. The Principal Clerk declares a quorum is present.

The one hundred nineteen Members-elect who are present, having been duly certified, take and subscribe to the following oath of office, which is administered by Associate Justice Robert F. Orr, Supreme Court of North Carolina.

OATH FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES 1995 SESSION

"I do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely swear (or affirm) that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do swear (or affirm) that I will faithfully discharge the duties of the office of a Member of the 1995 House of Representatives according to the best of my skill and ability, according to law; so help me God."

District	*Name*
1st	W. C. (Bill) Owens, Jr.
2nd	Zeno L. Edwards, Jr.
3rd	John M. Nichols
4th	Jean R. Preston Macon S. Snowden
5th	Howard Hunter, Jr.
6th	Gene Rogers
7th	L. W. Locke
8th	Linwood E. Mercer
9th	M. W. (Henry) Aldridge
11th	Louis M. Pate, Jr.
12th	Ed Bowen

13th	Danny McComas
14th	E. David Redwine Dewey L. Hill
15th	J. Sam Ellis
16th	Douglas Y. Yongue
17th	Mary E. McAllister Larry Shaw
18th	John W. (Bill) Hurley William O. (Billy) Richardson
19th	Willis Brown Don Davis
20th	Billy J. Creech
21st	Dan Blue
22nd	Jim Crawford Michael S. (Mike) Wilkins
23rd	Paul Luebke H. M. (Mickey) Michaux, Jr. George W. Miller, Jr.
24th	Anne Barnes Joe Hackney
25th	Cary D. Allred Ken J. Miller Dennis A. Reynolds
26th	Alma Adams
27th	Steve Wood
28th	Flossie Boyd-McIntyre

29th	Joanne W. Bowie
30th	Arlie F. Culp
31st	Richard T. Morgan
32nd	Hugh A. Lee
33rd	Foyle Hightower, Jr.
34th	Fern H. Shubert
35th	Charlotte A. Gardner
36th	James B. (Jim) Black
37th	Paul (Jaybird) McCrary
38th	Harold J. Brubaker
39th	Lyons Gray
40th	Rex L. Baker William S. (Bill) Hiatt Gene Wilson
41st	John Walter Brown George M. Holmes
42nd	Frank Mitchell
43rd	C. Robert Brawley
44th	John R. Gamble, Jr.
45th	Cherie Killian Berry Joe L. Kiser
46th	Charles (Monroe) Buchanan Gregg Thompson

47th	Walter G. Church, Sr.
48th	John J. (Jack) Hunt Debbie A. Clary John Weatherly
49th	Robert C. (Bob) Hunter
50th	Larry T. Justus
51st	Lanier M. Cansler Larry Linney Wilma Sherrill
52nd	Charles M. Beall Liston B. Ramsey
53rd	James C. Carpenter
54th	John B. McLaughlin
55th	W. Edwin (Ed) McMahan
56th	Martha Alexander
57th	Connie Wilson
58th	Ruth M. Easterling
59th	W. Pete Cunningham
60th	Beverly M. Earle
61st	Charles B. (Chuck) Neely, Jr.
62nd	David Miner
63rd	Arlene C. Pulley

64th	Bob Hensley
65th	Rick Eddins
66th	Larry Womble
67th	Warren C. (Pete) Oldham
68th	W. M. (Bill) Ives
69th	J. Shawn Lemmond
70th	Milton F. (Toby) Fitch, Jr.
71st	Norris Tolson
72nd	Gene Arnold
73rd	Wayne Sexton
74th	Julia Craven Howard
75th	Alex Warner
76th	W. W. (Dub) Dickson
77th	Carolyn B. Russell
78th	Stan Fox
79th	William L. Wainwright
80th	Robert Grady
81st	Timothy (Tim) Tallent
82nd	Bobby Harold Barbee, Sr.
83rd	Eugene McCombs
84th	Michael (Mike) Decker

85th	Ronnie Sutton
86th	Bill Culpepper
87th	Frances M. Cummings
88th	Theresa H. Esposito
89th	John A. Cocklereece Joanne Sharpe
90th	Robert C. (Robin) Hayes
91st	George S. Robinson
92nd	J. Russell Capps
93rd	John Melvin Rayfield
94th	Jerry C. Dockham
95th	N. Leo Daughtry
96th	Edd Nye
97th	Jerry Braswell
98th	Thomas E. Wright

ELECTION OF OFFICERS

The Principal Clerk announces that the first order of business is the election of a Speaker and declares that nominations are in order.

SPEAKER

The Chair recognizes Representative John Brown who places in nomination the name of Representative Harold James Brubaker as the Republican Nominee for the Speaker of the House of Representatives.

"Madam Chair, Former Speaker Ramsey and Speaker Blue, Distinguished Guests, Members of the Press, Members of the Court, Family and Friends, and

Fellow Members of the House. I rise on this auspicious and historic beginning day of the 141st Session of the North Carolina General Assembly to nominate the person to be the first Republican Speaker of the North Carolina House this century, that person is Representative Harold James Brubaker better known to us as Bru.

"Having served as a member of the House for well over 20 years, I have witnessed the move of our constituency to become more conservative; and on November 8th, the voice of our people (both Democrats and Republicans) said let's get back to the basics of less government, not bigger government, less taxes, less oversight, less regulations and so on.

"Keeping that message before us, I believe a major step in that direction is for this body of newly elected bi-partisan conservatives to join together and unite behind the nomination of Bru.

"Many years ago, Will Rogers made the observation that in order to succeed, a person must know what he is doing, like what he is doing, and believe in what he is doing. Those of you who have known Bru for as long as I have, know he fits the bill in all three categories.

"First, Bru knows what he is doing----

"He was just elected to his 10th consecutive term and has been a member of the House since 1977. He has served on several major committees and has also served as House Minority Leader and Joint Caucus Leader.

"Secondly, Bru likes what he is doing----

"He has been actively involved in North Carolina politics since the early 70's. His experiences are broad-based, yet focused squarely on making sound economic decisions for our state. Clearly, from holding a master's degree in Economics from N. C. State University to serving leadership roles on the Farm Bureau, Grange, Salvation Army and Volunteer Fire Departments show the depth and span of his interest in the citizens of our great state; and, in addition and by no means less important, Bru believes, practices and promotes free enterprise.

"And lastly, Bru believes in what he is doing----

"He has actively recruited bi-partisan support to become Speaker and is well qualified to stand at the helm of this body. For example, he's been a

member of the National Board of Directors of the American Legislative Exchange Council since 1988. And in 1994, was elected to serve as its National Chairman. This council, by the way, is known as our nation's conservative, non-partisan think-tank.

"Yes, Bru is committed to enlisting bi-partisan support, trust and honesty in doing what is right for the people. As all of you know, it is only thru this spirit of cooperation that we can achieve success and move North Carolina forward.

"But Ladies and Gentlemen, so far I have spoken only of Bru, the conservative politician. Let me now end with thoughts about Bru the family man and Christian.

"Bru is married to an outstanding young lady, Geraldine, and they have two sons, Jonathan and Justin. His devotion to family and community have resulted in his receiving many awards including being named North Carolina's Outstanding Young Man in 1981. Also, having served on the Board of Deacons, Bru continues to be very active in his church. I make these points because I want to emphasize the superior moral convictions possessed by both Bru and his family.

"Isaiah 40:31 explains why: 'But they that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run, and not be weary; and they shall walk and not faint'.

"Yes, Bru serves the Lord and therefore has the strength of eagle's wings to lead the North Carolina House of Representatives into what many believe will be the most historic legislative session in our state's history.

"Now, Ladies and Gentlemen it is a privilege and honor for me to place in nomination the name of Harold James Brubaker for Speaker of the House.

"Thank you."

The nomination is seconded by Representative Arnold.

"The United States Constitution says, 'Congress shall make no laws unless it is the will of the people'. That is the mandate we face today. The will of the people has initiated this dramatic and historic moment. No better person today serves in this Chamber to lead us in obtaining the purposes of the people, than the gentleman in Seat 120.

"I am proud to participate in this moment in history to second the nomination to the position of Speaker of the House, the name of Representative Harold Brubaker.

"Representative Brubaker is best qualified to carry out the covenant we have agreed to, and publicly endorsed, to refine the ideals and goals of our state government. He has the knowledge and experience to establish a partnership with the business community, the professional community, and the public community to bring forth the changes in government dictated by the Election of 1994.

"Representative Brubaker deserves our support of his nomination as our Speaker for an old fashioned reason - he earned it. His tenure in these chambers, his positive contribution to the betterment of the government of this state, and his tenacious will to achieve the goals of the people, warrant his election as Speaker.

"The resolution of the challenges of business and economic growth for our state are paramount to the success of our goals. The challenges of the needs of our educational system will be addressed and resolved. And the challenges of the social and judicial systems will be changed to increase the value of all human life.

"In response to the placing of the name of our candidate for the Speaker of the North Carolina House of Representatives, I proudly second the nomination of Representative Harold J. Brubaker."

The nomination is seconded by Representative Theresa Esposito.

"Madam Chair, distinguished guests, colleagues, and friends, it is, indeed, an honor to second the nomination of the distinguished gentleman, the Honorable Harold Brubaker from the County of Randolph, for Speaker of the House of Representatives, State of North Carolina.

"He has the energy and enthusiasm of youth, and the wisdom and endorsement of a seasoned legislator. Harold Brubaker is sensitive to maintaining balance between the power of this august body and the needs of the people.

"He is a man of gentle persuasion, who represents his convictions with strength and style; his quiet undergirding of the truth has been a hallmark. He has the qualities to respond effectively to the many challenges of the Office of

Speaker.

"It is fitting that Harold Brubaker should assume this position of leadership in a state whose motto is: Esse Quam Videri...To be, rather than to seem. Harold Brubaker forthrightly and honestly establishes relationships without pretense or guile.

"You know where you stand with Harold Brubaker, and you know his position. I look forward to his integrity and deliberation of purpose imprinting his mark of leadership in this Legislature.

"I respect this gentleman.

"Harold Brubaker was that senior statesman who reached out to me as a freshman in this Legislature. For me, it was incredible good fortune. As my mentor, he taught me about leadership and statesmanship.

"Representative Brubaker, I am indebted to you. Fellow legislators, I am honored to commend to you, and second the nomination of, as Speaker of the House of Representatives, State of North Carolina, my friend, and former seat mate, the Honorable Harold James Brubaker from Randolph County."

The Chair recognizes Representative George Miller who places in nomination the name of Representative James B. Black as the Democratic Nominee for the Speaker of the House of Representatives.

"Principal Clerk Weeks:

"Fellow members of the 141st Session of the General Assembly:

"As a member of this House of Representatives - created by the Constitution of this great State, you are by your presence, writing a page in the history of our state.

"The legacy you have inherited by your election to this body carries with it both responsibility and opportunity.

"Responsibility is to protect and defend the heritage of our for good government; to maintain the great growth and development of our state; to protect the right of every citizen to equal access to government and to share in the good life.

"Opportunity is afforded to those of us chosen through the democratic process of free elections to assume positions of leadership.

"Opportunity means much more than merely maintaining the status quo. A progressive state must move forward.

"To stand still is to get behind.

"The opportunity to ensure, by what we do in carrying out our constitutional duties, is laid out in Article II - which incidentally comes before the section authorizing the Executive Branch of Government -Article III- that we are in fact a government of and by the people, is a heavy burden.

"By our leadership we are equal to the task.

"As a part of our democracy, each political party has the opportunity and right to offer its most qualified leader to be Speaker of the House. This is in fact the tradition of this House.

"I am pleased to nominate from the ranks of the Democratic side, James B. Black."

The Chair is notified that no seconds are requested.

There being no further nominations, the Principal Clerk declares the nominations closed and requests that the roll of the House be called.

The following members vote for Representative Brubaker: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowen, Bowie, Brawley, J. Brown, W. Brown, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, McComas, McCombs, McLaughlin, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Warner, Weatherly, C. Wilson, G. Wilson, and Wood - 80.

The following members vote for Representative Black: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, Cunningham, Earle, Easterling, Fitch, Fox, Hackney, Hensley, Hightower,

Hunt, H. Hunter, R. Hunter, Lee, Luebke, McCrary, Mercer, Michaux, G. Miller, Oldham, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Wilkins, Womble, Wright, and Yongue - 38.

Representative Brubaker, having received a majority vote, is declared Speaker of the 1995 House of Representatives.

The Speaker, escorted to the Chair by Representatives Daughtry, Preston, Linney, Sherrill, Black, and Crawford, takes and subscribes to the following oath of office administered by Associate Justice I. Beverly Lake, Jr., North Carolina Supreme Court.

"I, HAROLD J. BRUBAKER, do solemnly swear that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do swear that I will faithfully discharge the duties of the office of Speaker of the 1995 House of Representatives according to the best of my skill and ability, according to law; so help me God."

The Speaker, Mr. Brubaker, approaches the dais and makes the following remarks:

"It is the dawn of a new day in North Carolina...It is the end of business as usual.

"For decades, business as usual has made government in North Carolina more and more remote from the people.

"Business as usual has made it too expensive...

"Business as usual has made it too intrusive...

"Business as usual has made it too unresponsive...

"By 1994, the people were ready for change.

"And that's what the 1994 election was all about...change.

"The people voted for an end to business as usual...

"The message of the 1994 election was simply this...

"That the people must be empowered...

"That control of government must be returned to the people...

"That government should be the servant of the people.

"That was the basis of our Contract with the People of North Carolina.

"It was a solemn commitment that was the basis of the electoral victory.

"And we intend to keep our part of the bargain.

"In just a few moments today, I would like to summarize the Contract for you, because it will form the core of our legislative agenda. We will introduce legislation tomorrow that will fully put the Contract into effect.

"The Contract with the People of North Carolina is rooted in fundamental principles...fundamental propositions about the role of government in relation to the people.

"Let me summarize these principles.

"Number One...

"We insist that **the earnings of the people...and their property...belong first to the people...and not to government.**

"This raises a whole new set of questions...not the old questions about what taxes to raise to balance the budget...but new questions...such as...where do we find the savings to allow people to keep more of their earnings...and what can we do to make government more efficient? We intend to move quickly from questions to answers.

"We will introduce a real income tax cut of at least $200 million for the working people of North Carolina. But our commitment goes further than that. We are going to block any attempt to increase taxes. We are going to cut the budget. It is time to ask government to tighten its belt---the people have already done more than their share.

"And, our Taxpayers Protection Act will limit the growth in state spending at the rate of inflation and population growth. That is more than enough growth.

"Finally, we're not going to balance the state books on the backs of local governments...no unfunded mandates will be passed on to local governments.

"I am firmly convinced that government should spend no more than necessary...and that when it does it violates its sacred trust with the people...**indeed, it engages in the moral equivalent of theft**. Our task is to free the people to earn more...to keep more...to invest more...so that jobs can be created for today and for the future.

"Number Two...

"We declare that the fundamental purpose of the criminal justice system is to protect law abiding citizens from crime.

"It is an outrage that the people of North Carolina are not free to walk their streets and neighborhoods without fear of crime. This is not necessary. First and foremost, our legislation will remove the cap on prison population. I'm not the least bit impressed by the arguments of those who say that locking criminals up doesn't reduce crime. That's just plain crazy. **When violent criminals are locked up, they are no longer free to inflict harm on law-abiding citizens.** That means less crime. It's as simple as that. We've got to stop the revolving prison door. Additionally it will require, through a clear policy statement, the building of 'no-frills' prison units. Our message to those who would victimize

North Carolinians is...**either get yourselves under control, or we will**.

"Number Three...

"We maintain that welfare is a two way street---that those who receive welfare have responsibilities too.

"Of course, we are committed to helping those in need. But parents---all parents---both parents---have a responsibility to support their children. And so, we propose to make welfare recipients co-operate in identifying absent fathers, so that they can be required to participate in the financial support of their children. Further, we're going to introduce initiatives to empower people to get off welfare...to become economically productive members of society. We must discard a sinister welfare system that has entrapped many people, while devouring the hard earned income of working folks. **This has got to stop**.

"Number Four...

"We contend that **education is for kids, not for bureaucrats**.

"There is nothing more important than the education of our children---the future leaders of North Carolina. Our education reform program will put control of education where it should be---at the local school boards. We're going to let the school boards, the principals, teachers, and the parents run the schools, with as little interference as possible from the bureaucrats in Raleigh...It's time to streamline the education bureaucracy. And, we're going to use the savings to put money into the classroom and to teach the basics - reading, writing and arithmetic - that will make our children competitive with any in the world.

"Number Five...

"We think that citizens should be empowered to legislate for themselves.

"We propose to establish a voter initiative as an outlet for the people to enact legislation and constitutional amendments.

"We also think a citizen legislature is what the people want and, thus, we propose to place a referendum before the people that would address term limits for the General Assembly and our members of Congress. And, in keeping with good government reforms we have long supported, we will

let the people vote up or down on veto for the Governor.

"Number Six...

"We believe that the legislature itself needs to become more democratic.

"For too long, the will of the majority has been thwarted by an antiquated system. We, who are now in the majority, will adopt rule changes today that will make it possible for a majority of members of this House to bring any matter to a vote on the House floor.

"This is an aggressive agenda. But the people of North Carolina deserve no less. We are certain there will be other good ideas - tax cuts, anti-crime initiatives and other good government measures - that will fit in with the spirit of our contract. They will receive our closest attention.

"All of these measures taken together will go a long way toward placing control of government in North Carolina where it belongs -- **in the hands of the people of North Carolina**. These measures will strengthen democracy...they will improve our economy...they will contribute to a better future...taken together, they will make North Carolina a better place to live. The Contract represents a historic opportunity, and I invite each and every member of this House --- Republican and Democrat --- to join in this important endeavor.

"The work before us will require long hours. But none of us should have come to Raleigh expecting an easy time of it. We are here to serve the people, and the people have every right to expect us to work hard --- very hard. I intend to do everything possible to ensure that this session is as productive as possible --- I hope that we will be able to avoid much of the personal and partisan maneuvering that has been business as usual in previous sessions. Let us come together --- members of both parties --- to put the interests of the people first.

"On this great day, I want to thank my colleagues for electing me to serve as Speaker of the House. I assure you that my office will be open to each and every one of you.

"But most of all I want to thank the voters of the 38th House District for the high honor they have paid me in sending me to Raleigh.

"Now...let us work together. Let us enjoy one another...Let us deliver on

our commitments...Let us serve the people of North Carolina...Let us get down to business...**the business of making North Carolina government the servant of the people.**"

The Speaker assumes the duties of the Chair.

ADOPTION OF INTERIM RULES

Representative Daughtry is recognized and states that he has placed a Resolution with the Clerk for consideration by the Body.

The Speaker directs the Principal Clerk to number the resolution and places **H.R. 1,** A HOUSE RESOLUTION ADOPTING THE INTERIM RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 1995 GENERAL ASSEMBLY, before the Body.

Representative Hensley offers Amendment No. 1 which fails of adoption by electronic vote (47-69).

Representative Hackney offers Amendment No. 2.

Representative Daughtry calls the previous question on Amendment No. 2 and the call is sustained by electronic vote (94-21).

Amendment No. 2 fails of adoption by electronic vote (50-69).

Representative Barnes offers Amendment No. 3.

Representative Daughtry calls the previous question on Amendment No. 3 and the call is sustained by electronic vote (98-16).

Amendment No. 3 fails of adoption by electronic vote (44-71).

Representative McLaughlin offers Amendment No. 4.

Representative McLaughlin calls the previous question on the amendment and the call is sustained.

Amendment No. 4 fails of adoption by electronic vote (49-66).

Representative Fitch offers Amendment No. 5 which fails of adoption by

electronic vote (41-70).

Representative Daughtry calls the previous question on the adoption of the Resolution and the call is sustained by electronic vote (106-10).

The resolution is adopted, by electronic vote (81-37), and ordered printed. (See Appendix for full text of interim rules.)

ELECTION OF OFFICERS CONTINUED

SPEAKER PRO TEMPORE

The Speaker announces that nominations are in order for Speaker Pro Tempore.

The Chair recognizes Representative Berry who places in nomination the name of Representative Carolyn Russell as the Republican Nominee for Speaker Pro Tempore.

"Mr. Speaker, Distinguished Visitors and Guests, Ladies and Gentlemen of the House...and fellow citizens from Murphy to Manteo across this great state...I come before you on this historic day...to place in nomination for Speaker Pro Tempore of the North Carolina House of Representatives...Representative Carolyn Russell.

"When the good people of the 45th District, granted me the honor of serving them in this Body...I soon discovered that this can be a confusing and often frustrating place...

"The best advice I have ever received for performing this job and keeping my sanity...I received from Carolyn Russell...Her advice for sorting it all out was simply this...she said, 'Cherie...The main thing is to keep the main thing the main thing'.

"Carolyn Russell knows that the 'main thing' is taxes!

"This year, families will pay 40% of their income in federal, state and local taxes.

"That's why Carolyn sponsored the Taxpayer's Protection Act, which limits the growth of government, and why she has devoted countless hours to assure its passage.

"It isn't government by itself that Carolyn objects to - it's big government.

"Nothing would benefit families more than a significant reduction in the size and scope of government.

"That would make possible a dramatic reduction in their tax burden, which, in turn, would allow them to redirect their time from earning to parenting.

"Carolyn believes that the family is the only foundation that makes a state and a nation mentally, physically, and spiritually strong.

"She will work to make sure that policy established by this governing body returns to and flows from this fundamental truth.

"Whenever I discuss issues with Carolyn - issues concerning education, crime, health, the economy - she always comes back to the same point - the family matters.

"Carolyn grew up on a farm in Pitt County where her parents, Oscar and Naomi Barnes dreamed the American Dream for their daughter...

"Carolyn and her husband, Douglas, dreamed the American Dream for their three children, Susannah, Douglas and Meredith.

"The American Dream is something everyone here wants to be a part of --- and Carolyn has devoted her efforts to make sure that that dream stays alive for you!

"The ability of individuals to use and enjoy their freedom to pursue the American dream depends on the strength of society's private institutions.

"Churches, civic and neighborhood groups and professional organizations, these institutions, act as buffers to the power of government, to protect against it and to offer alternatives to it.

"Throughout her life, Carolyn has volunteered her time and energy to an impressive list of these same institutions demonstrating her understanding of her civic duty.

"If you want to evoke passion in Carolyn, mention the education of our children...

"She will be quick to tell you that 'someone farther away and further up the line now controls what goes on in the classroom'.

"She will also tell you that education means passing on to another generation the values and virtues that tie them to those who came before, tie them to each other and tie them to their community.

"That education also means affirming the ideas on which the American proposition rests and reinforcing citizenship.

"Carolyn's profound belief in citizenship and the obligation of citizens to participate in the democracy has brought her to this day...and the honor of becoming the first Republican woman, Speaker Pro Tempore of the North Carolina House of Representatives...

"I must tell you, Carolyn, that being a Republican today is like being Irish on St. Patrick's Day.

"Those of us who have worked with her, who, in the past, have fought the good fight with her from the back rows of this chamber and who have benefited from her presence---with pride and great expectation---place her name in nomination, for Speaker Pro Tempore of the North Carolina House of Representatives.

"Thank you."

Representative Morgan seconds the nomination.

"Mr. Speaker, distinguished visitors and guests, ladies and gentlemen of the House:

"I am honored to second the nomination of Carolyn Barnes Russell for the office of Speaker Pro Tempore of the 1995 House of Representatives. The office of Speaker Pro Tempore of the House of Representatives demands leadership, trust, experience and vision. Representative Russell brings these attributes to the General Assembly.

"Representative Russell has been a diligent, hard-working member of this Body during her past four years of service in the House of Representatives. She is an effective voice for the people of her community and the citizens of the 77th House District.

"Representative Russell has shown us her ability to lead. Among her numerous honors is the Governor's individual leadership award. She has also shown us her diligence and dedication through her service on many boards, organizations, and activities, including, among many others, the Wayne County Board of Social Services, the Wayne County Red Cross, the Wayne County Boy's Club, the Wayne County Medical Auxiliary, the Goldsboro Arts Council, the Methodist Home for Children, and her church activities.

"Representative Russell has shown us her compassion for and understanding of the needs of the people of her community, her district, and her state, particularly through her work on mental health issues. She has served as a member of the State Council on Health Policy Information and is a recipient of the McPheeter's Award for outstanding contributions to mental health. Representative Russell's professional work was also recognized when she received the outstanding Professional Achievement Award by federally employed women.

"The 1995 session will challenge all of us. It is a time of change and a time of renewal. Representative Carolyn Russell can help lead us through this period of change and renewal and the many challenges we will face.

"I ask and thank you for your support of Carolyn Barnes Russell as Speaker Pro Tempore of the House of Representatives."

There being no further nominations, the Speaker declares the nominations closed and requests that the roll of the House be called.

The following members vote for Representative Russell: Speaker Brubaker; Representatives Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 106.

Representative Russell, having received a majority vote, is declared Speaker Pro Tempore.

The Speaker Pro Tempore, escorted to the Well of the House by Representatives Culp, Bowie, Eddins, and Wainwright, takes and subscribes to the following oath of office administered by Judge Mark D. Martin, North Carolina Court of Appeals.

"I, CAROLYN B. RUSSELL, do solemnly swear that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do swear that I will faithfully discharge the duties of the office of Speaker Pro Tempore of the 1995 House of Representatives according to the best of my skill and ability, according to law; so help me God."

The Speaker Pro Tempore, Representative Russell, makes the following remarks:

"Ladies and Gentlemen of the House, Guests and Families,

"It is with utmost gratitude that I thank this Body for your vote of confidence in my election as Speaker Pro Tempore of the House of Representatives. I also want to thank my family. Without their vigorous support and incredible patience, I would not be a part of the political process. As I look out today and see so many family members present, I think that it's appropriate to thank all of them for the part that they play in giving us this marvelous opportunity.

"The responsibilities and challenges of the General Assembly have always been immense. As we are charged with governing wisely and well, we are required to be compassionate, prudent, fiscally responsible and many other things. We must address short term crises, while considering unintended consequences which affect long range solutions. And our solutions must not be developed in a vacuum. We are one of fifty other states and have the federal government to answer to. And then, we have the defining element of

the representative nature of our governing. We do represent our people back home. We are their voices. Through us our citizens have an important role in the governing of North Carolina.

"Indeed, the requirements of this job to which we've been elected can seem overwhelming. In my opinion, this has never been more critical than at this time in North Carolina's history. We are seeing a renewed interest in the political process and the actions of this body will come under scrutiny as never before. People are demanding real change and calling for real reform. Rhetoric and vague promises are and should be a thing of the past. Voters of this state want to know how their money is being spent. They are concerned over personal freedoms. They want a diploma to mean something. They want to reverse the cycle of crime and they want real reform in the welfare system as we know it.

"We are all familiar with the bad jokes about politicians and we've all been the brunt of those jokes. It's time today to reverse that trend by delivering on our promises and earning back the trust of the citizens of this great state. Saying that we'll do something may take one kind of courage but actually doing it requires a different type. Real bravery lies in deeds not words. We have looked at issues and examined and developed solutions and now the hour is here to get down to work. Certainly we are a diverse group and differences will occur. Healthy debate is positive. However the challenges that face our state and society are larger than individuals and larger than parties.

"I have a deep respect for our new leadership. I respect their careful consideration of effective solutions. I respect their dedication to the people of this State and I look forward to working with them. I also look forward to working with all the members of the General Assembly as we go about the business at hand, governing wisely and well.

"With that Mr. Speaker, and Ladies and Gentlemen of the House I conclude my remarks and wish God speed to all this Body as we begin the 1995 legislative session."

ELECTION OF OFFICERS CONTINUED

PRINCIPAL CLERK

The Speaker announces that nominations are in order for Principal Clerk of the House of Representatives.

Representative Ellis places the name of Denise G. Weeks of Wake County in nomination for Principal Clerk.

On motion of Representative Alexander, the nominations are closed and Ms. Weeks is elected by acclamation.

The Speaker of the House, Harold Brubaker, (authorized under G.S. 120-5) administers the following oath of office to the Principal Clerk:

"I, DENISE G. WEEKS, do solemnly swear that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do swear that I will faithfully discharge the duties of the office of Principal Clerk of the 1995 House of Representatives according to the best of my skill and ability, according to law; so help me God."

APPOINTMENT OF OFFICERS

Pursuant to Rule 45(c), the Speaker appoints Ms. Joan N. Danieley as Reading Clerk and Mr. Clyde Cook, Jr., as Sergeant-at-Arms for the 1995 House of Representatives.

The following oaths of office are administered to the Reading Clerk and the Sergeant-at-Arms by Judge Ralph A. Walker, North Carolina Court of Appeals.

OATH FOR READING CLERK OF THE HOUSE OF REPRESENTATIVES

"I, JOAN N. DANIELEY, do solemnly swear that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and

that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do swear that I will faithfully discharge the duties of the office of Reading Clerk of the 1995 House of Representatives according to the best of my skill and ability, according to law; so help me God."

OATH FOR SERGEANT-AT-ARMS OF THE HOUSE OF REPRESENTATIVES

"I, CLYDE COOK, JR., do solemnly swear that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do swear that I will faithfully discharge the duties of the office of Sergeant-at-Arms of the 1995 House of Representatives according to the best of my skill and ability, according to law; so help me God."

COURTESIES

On motion of Representative Morgan, the courtesies of the floor are extended to the following members of Speaker Brubaker's family:

Mrs. Geraldine Brubaker, wife

Mr. Jonathan Brubaker, son

Mr. Justin Brubaker, son

Mr. and Mrs. Paul Brubaker, parents

Mrs. Baldwin, mother-in-law

Mr. and Mrs. Don Hines, sister and brother-in-law

Jason and Sara Hines, nephew and niece

Ms. Pam Brubaker, sister-in-law

Missy and Kirsten Brubaker, nieces

Mr. and Mrs. Chester Miller, sister and brother-in-law

Ms. Jane Barge, sister.

MAJORITY AND MINORITY CAUCUS LEADERS ANNOUNCED

Representative Daughtry is recognized and reports that the Republican Caucus has been held and that Representative Hayes has been elected the House Majority Whip and Representative Daughtry has been elected the House Majority Leader.

Representative Black is recognized and reports that the Democratic Caucus has been held and that Representatives Redwine and Cunningham have been elected as House Minority Whips and Representative Black has been elected the House Minority Leader.

The Speaker declares that the House of Representatives of 1995 is organized and orders that a Special Message be sent to the Senate so advising that Honorable Body that the House is now ready to proceed with public business.

On motion of Representative Daughtry, seconded by Representative Morgan, the House adjourns at 3:32 p.m. to reconvene January 26 at 10:00 a.m.

SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, January 26, 1995

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Reverend William Mills.

Representative Daughtry, reports the Journal of January 25 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (109-0).

Leaves of absence are granted Representatives Bowen and Shaw for today.

COMMITTEE ASSIGNMENTS

Without objection, Rule 5 is suspended and the Speaker makes the following standing committee assignments:

AGRICULTURE: Representative J. Brown, Chair; Representatives Carpenter, Culp, and Mitchell, Vice Chairs; Representative Hill, Ranking Minority Member; Representatives Aldridge, Arnold, Baker, Barnes, Berry, Bowen, Boyd-McIntyre, W. Brown, Buchanan, Creech, Davis, Eddins, Fox, Hightower, H. Hunter, Locke, Mercer, Nichols, Owens, Rogers, Shubert, Tolson, Wainwright, Weatherly, and Yongue.

APPROPRIATIONS: Representatives Creech, Esposito, and Holmes (Senior Ranking Member), Co-Chairs.

SUBCOMMITTEE ON EDUCATION: Representatives Grady and Preston, Co-Chairs; Representative Warner, Ranking Minority Member; Representatives Black, Boyd-McIntyre, Cummings, Davis, Edwards, Fox, Miner, Oldham, Pate, Reynolds, Rogers, Shubert, and Sutton.

SUBCOMMITTEE ON GENERAL GOVERNMENT: Representatives Ives and Lemmond, Co-Chairs; Representative Culpepper, Ranking Minority Member; Representatives Barnes, Braswell, Decker, Ellis, Michaux, Snowden and Wainwright.

SUBCOMMITTEE ON HUMAN RESOURCES: Representatives Gardner and Hayes, Co-Chairs; Representative Nye, Ranking Minority Member; Representatives Adams, Aldridge, Alexander, Dickson, Earle, Hurley and G. Wilson.

SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY: Representatives Justus and Thompson, Co-Chairs; Representative Mercer, Ranking Minority Member; Representatives Easterling, Kiser, Linney, McCrary, Pulley, Redwine, Richardson, and Sexton.

SUBCOMMITTEE ON NATURAL AND ECONOMIC RESOURCES: Representatives Mitchell and Weatherly, Co-Chairs; Representative Tolson, Ranking Minority Member; Representatives Baker, Culp, H. Hunter, K. Miller, Nichols, Owens, Wilkins, and Yongue.

SUBCOMMITTEE ON TRANSPORTATION: Representatives Barbee and Bowie, Co-Chairs; Representative Crawford, Ranking Minority Member; Representatives Blue, Church, Clary, Dockham, Hiatt, Locke, McAllister, McLaughlin, and Sherrill.

BUSINESS AND LABOR: Representative Robinson, Chair; Representatives Davis and Rayfield, Vice Chairs.

SUBCOMMITTEE ON ECONOMIC EXPANSION AND GROWTH: Representative Allred, Chair; Representative Wainwright, Ranking Minority Member; Representatives Alexander, Baker, Bowie, Boyd-McIntyre, Brawley, Cansler, Cummings, Davis, Hackney, Hill, Lee, G. Miller, Pate, Rayfield, Sharpe, and Shaw.

SUBCOMMITTEE ON LABOR RELATIONS AND EMPLOYMENT: Representative G. Wilson, Chair; Representative Wilkins, Ranking Minority Member; Representatives Blue, Cocklereece, Cunningham, Mitchell and Sherrill.

SUBCOMMITTEE ON TRAVEL AND TOURISM: Representative Hiatt, Chair; Representative Hunt, Ranking Minority Member; Representatives Earle, McComas, Preston, Redwine, and Reynolds.

EDUCATION: Representative Wood, Chair; Representative Eddins, Vice Chair.

SUBCOMMITTEE ON COMMUNITY COLLEGES AND UNIVERSITIES: Representative McMahan, Chair; Representative Owens, Ranking Minority Member; Representatives Barnes, Dockham, Fox, Grady, Justus, Lee, K. Miller, Oldham, and C. Wilson.

SUBCOMMITTEE ON PRESCHOOL, ELEMENTARY AND SECONDARY EDUCATION: Representative Cummings, Chair; Representative Nye, Ranking Minority Member; Representatives Arnold, Black, Cansler, Decker, Eddins, Hensley, Hiatt, Hightower, Kiser, McLaughlin, Preston, Rayfield, Sexton, Thompson, Warner, and Wright.

ETHICS: Representative Howard, Chair; Representative Gamble, Ranking Minority Member; Representatives Blue, Bowie, Fitch, Grady, Gray, Hunt, Michaux, Morgan, Oldham, Sutton, Tallent, C. Wilson, and Wood.

FINANCE: Representatives Arnold, Gray (Senior Ranking Member), and C. Wilson, Co-Chairs; Representatives Cansler and Capps, Vice Chairs; Representative Bowen, Ranking Minority Member; Representatives Allred, Beall, Berry, Brawley, J. Brown, W. Brown, Buchanan, Carpenter, Cocklereece, Cunningham, Eddins, Fitch, Gamble, Hackney, Hensley, Hightower, Hill, Howard, Hunt, R. Hunter, Lee, Luebke, McComas, McCombs, McMahan, G. Miller, Morgan, Neely, Ramsey, Rayfield, Robinson, Sharpe, Shaw, Tallent, Womble, Wood, and Wright.

FINANCIAL INSTITUTIONS: Representative Tallent, Chair; Representative K. Miller, Vice Chair; Representative Church, Ranking Minority Member; Representatives Beall, Braswell, Dickson, Dockham, Gamble, Gray, Holmes, R. Hunter, Ives, Justus, Lemmond, Luebke, McAllister, McMahan, Miner, Nichols, and Ramsey.

HEALTH AND ENVIRONMENT: Representative Nichols, Chair; Representative Snowden, Vice Chair; Representative Warner, Ranking Minority Member; Representatives Allred, Blue, J. Brown, Culp, Dickson, Earle, Edwards, Esposito, Gamble, Gardner, Hackney, Hayes, Locke, Luebke, McComas, Preston, Richardson, Shubert, Tolson, Weatherly, and Wright.

INSURANCE: Representative Dockham, Chair; Representative Cocklereece, Vice Chair; Representative Locke, Ranking Minority Member; Representatives Barbee, Black, Brawley, Hensley, Hurley, Lemmond, Linney, and Wainwright.

JUDICIARY I: Representative Daughtry, Chair; Representative Linney, Vice Chair; Representative W. Brown, Ranking Minority Member; Representatives Alexander, Capps, Clary, Crawford, Ellis, Esposito, Holmes, Howard, R. Hunter, Justus, Michaux, G. Miller, K. Miller, Morgan, Pulley, Robinson, Wilkins, and Wood.

JUDICIARY II: Representative Neely, Chair; Representative Kiser, Vice Chair; Representative Culpepper, Ranking Minority Member; Representatives Bowie, Cansler, Decker, Gardner, Hackney, Hensley, Lee, Lemmond, McComas, Pate, Redwine, Richardson, Sutton, Thompson, and C. Wilson.

LOCAL AND REGIONAL GOVERNMENT I: Representative Ellis, Chair;

Representative Pate, Vice Chair; Representative Rogers, Ranking Minority Member; Representatives Braswell, W. Brown, Carpenter, Ives, Lemmond, McAllister, McCombs, McCrary, Reynolds and Yongue.

LOCAL AND REGIONAL GOVERNMENT II: Representative Decker, Chair; Representative Kiser, Vice Chair; Representative Hurley, Ranking Minority Member; Representatives Adams, Barbee, Capps, Culpepper, Dickson, Fox, Gardner, McMahan, G. Miller, Owens, Tolson and G. Wilson.

PENSIONS AND RETIREMENT: Representative McCombs, Chair; Representative Linney, Vice Chair; Representative Mercer, Ranking Minority Member; Representatives Barbee, Beall, Easterling, Grady, Justus, McCrary, Preston and Ramsey.

PUBLIC EMPLOYEES: Representative Culp, Chair; Representative Oldham, Ranking Minority Member; Representatives Cocklereece, Easterling, Ellis, Fitch, Hiatt, Howard, Michaux, Shaw, Sherrill, Thompson and Warner.

PUBLIC UTILITIES: Representative Dickson, Chair; Representatives Reynolds and Sharpe, Vice Chairs; Representative McLaughlin, Ranking Minority Member; Representatives Bowen, Braswell, Holmes, Hurley, Ives, McCombs, McCrary, Miner, Morgan, Neely, Rogers, Tallent, Wilkins and Womble.

RULES, CALENDAR, AND OPERATIONS OF THE HOUSE: Representative Morgan, Chair; Representative Pulley, Vice Chair; Representative Crawford, Ranking Minority Member; Representatives Black, Bowie, Dockham, Esposito, McMahan, Neely and Robinson.

STATE GOVERNMENT: Representative Edwards, Chair.

SUBCOMMITTEE ON BOARDS AND COMMISSIONS: Representative Sherrill, Chair; Representative Hightower, Ranking Minority Member; Representatives Boyd-McIntyre, Gray, and Thompson.

SUBCOMMITTEE ON MILITARY, VETERANS AND INDIAN AFFAIRS: Representative Buchanan, Chair; Representative Sutton, Ranking Minority Member; Representatives Adams, J. Brown, Carpenter, Davis, Luebke, Sexton, Shaw and Womble.

SUBCOMMITTEE ON STATE PARKS, FACILITIES AND PROPERTY: Representative Baker, Chair; Representative Wright,

Ranking Minority Member; Representatives Cummings, Cunningham, Nye, Snowden and Weatherly.

TRANSPORTATION: Representative Miner, Chair.

SUBCOMMITTEE ON AIRPORTS, RAILWAYS, AND WATERWAYS: Representative McComas, Chair; Representative McAllister, Ranking Minority Member; Representatives Aldridge, Hunt, Mercer, Nye, Pulley and Snowden.

SUBCOMMITTEE ON HIGHWAYS: Representative Sexton, Chair; Representative Bowen, Ranking Minority Member; Representatives Beall, Buchanan, Church, Clary, Crawford, Nichols and Rayfield.

SUBCOMMITTEE ON PUBLIC TRANSPORTATION: Representative Pate, Chair; Representative McLaughlin, Ranking Minority Member; Representatives Creech, Eddins, H. Hunter and Yongue.

WAYS AND MEANS: Representative Brawley and Robinson, Co-Chair; Representative Brawley states that he believes his role as Joint Caucus Leader will cause a conflict of interest and he declines the position as Co-Chair. The Speaker appoints Representative Robinson as Chair.

WAYS AND MEANS (cont.): Representative Ramsey, Ranking Minority Member; Representatives Allred, Arnold, Barnes, Berry, Church, Ellis, Hayes, R. Hunter, Miner, Redwine and Wood.

WELFARE REFORM AND HUMAN RESOURCES: Representative Berry, Chair; Representative Clary, Vice Chair.

SUBCOMMITTEE ON AGING: Representative Aldridge, Chair; Representative Hill, Ranking Minority Member; Representatives Creech, Culp, Cunningham, Earle, Edwards, Gardner, H. Hunter, G. Wilson and Womble.

SUBCOMMITTEE ON FAMILIES: Representative Shubert, Chair; Representative Alexander, Ranking Minority Member; Representatives Adams, Capps, Clary, Culpepper, Easterling, Fitch, Hayes, Howard, Mitchell, Neely, Richardson, Sharpe and Tallent.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Daughtry, Aldridge, Arnold, Bowie, Brawley, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Culp, Davis, Decker, Dockham, Edwards, Gardner, Gray, Hayes, Holmes, Lemmond, McComas, McMahan, K. Miller, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Russell, Sexton, Sharpe, Shubert, Snowden, Tallent, Thompson, Warner, Weatherly, C. Wilson, and Wood:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO REDUCE INCOME TAXES FOR THE WORKING PEOPLE OF NORTH CAROLINA BY INCREASING THE PERSONAL EXEMPTION DEDUCTION BY FIVE HUNDRED DOLLARS AND BY ALLOWING A TAX CREDIT OF FIFTY DOLLARS PER DEPENDENT CHILD, is referred to the Committee on Finance.

By Representatives Russell, Aldridge, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Eddins, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Ives, Justus, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Sexton, Sharpe, Shubert, Snowden, Tallent, Thompson, Warner, C. Wilson, G. Wilson, and Wood:

H.B. 3, A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, REFORMING THE BUDGET PROCESS, ESTABLISHING AN EMERGENCY RESERVE TRUST FUND, AND PROHIBITING UNFUNDED STATE MANDATES, is referred to the Committee on Finance.

By Representatives Brawley, Aldridge, Arnold, Baker, Barbee, Berry, Bowie, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Justus, Kiser, Lemmond, McComas, McCombs, McMahan, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Warner, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 4, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PRISON POPULATION CAP, is referred to the Committee on Judiciary II.

By Representatives Berry, Aldridge, Arnold, Baker, Barbee, Bowie, Brawley, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Gardner, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Ives, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Weatherly, C. Wilson, and G. Wilson:

H.B. 5, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PUBLIC ASSISTANCE PERSONAL AND FAMILY RESPONSIBILITY ACT OF 1995, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Preston, Aldridge, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Ives, Justus, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 6, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, AND TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, is referred to the Committee on Appropriations, Subcommittee on Education.

By Representatives Russell, Aldridge, Arnold, Baker, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Gardner, Hayes, Hiatt, Holmes, Ives, Justus, Kiser, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Sexton, Sharpe, Shubert, Snowden, Tallent, Thompson, C. Wilson, and G. Wilson:

H.B. 7, A BILL TO BE ENTITLED AN ACT TO RESTORE CONSTITUTIONAL POWERS TO THE STATE BOARD OF EDUCATION AND TO MAKE CONFORMING CHANGES, is referred to the Committee on Education.

By Representatives Miner, Aldridge, Arnold, Baker, Bowie, Brawley, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Gardner, Gray, Hayes, Hiatt, Holmes, Ives, Justus, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Shubert, Snowden, Tallent, Thompson, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 8, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN FOR THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC INSTRUCTION, is referred to the Committee on Education.

By Representatives Brawley, Aldridge, Arnold, Baker, Bowie, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Gray, Hayes, Hiatt, Holmes, Ives, Justus, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Mitchell, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Shubert, Snowden, Tallent, Thompson, Warner, C. Wilson, G. Wilson, and Wood:

H.B. 9, A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE APPEALS PROCESS IN NORTH CAROLINA FOR CRIMINAL CASES, is referred to the Committee on Judiciary II.

By Representatives Allred, Aldridge, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Gray, Hayes, Hiatt, Ives, Justus, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Sexton, Sharpe, Shubert, Snowden, Tallent, Thompson, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 10, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE TO THE PEOPLE

THE POWER OF INITIATIVE, is referred to the Committee on Judiciary I.

By Representatives Nichols, Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Warner, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 11, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO OF ENTIRE BILLS, A GUBERNATORIAL LINE-ITEM VETO OF APPROPRIATIONS, AND TO ALLOW THE GOVERNOR TO REDUCE AN APPROPRIATION RATHER THAN REJECTING IT, is referred to the Committee on Judiciary I.

By Representatives Wood, Aldridge, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Howard, Ives, Justus, Lemmond, McComas, McCombs, McMahan, K. Miller, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Warner, Weatherly, C. Wilson, and G. Wilson:

H.B. 12, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO LIMIT MEMBERS OF THE LEGISLATURE TO FOUR CONSECUTIVE TERMS IN A HOUSE, is referred to the Committee on Judiciary I.

By Representatives Ellis, Aldridge, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Howard, Ives, Justus, Lemmond, McComas, McCombs, McMahan, K. Miller, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Warner, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 13, A BILL TO BE ENTITLED AN ACT TO STATUTORILY LIMIT BALLOT ACCESS TO MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES WHO HAVE SERVED FOUR TWO-YEAR TERMS, AND UNITED STATES SENATORS WHO HAVE SERVED TWO SIX-YEAR TERMS, is referred to the Committee on Judiciary I.

By Representatives Justus, Aldridge, Arnold, Baker, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Weatherly, C. Wilson, and G. Wilson:

H.B. 14, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF STATE FUNDS FOR THE NORTH CAROLINA RESOURCE CENTER, is referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

By Representatives Justus, Aldridge, Allred, Arnold, Baker, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Ives, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Warner, Weatherly, C. Wilson, and G. Wilson:

H.B. 15, A BILL TO BE ENTITLED AN ACT TO ESTABLISH STATE POLICY REGARDING THE CONSTRUCTION OF PRISONS, is referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

By Representatives Howard, Aldridge, Arnold, Baker, Barbee, Berry, Bowie, Brawley, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Cummings, Daughtry, Davis, Decker, Dockham, Eddins, Edwards, Gardner, Gray, Hayes, Hiatt, Hill, Holmes, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Mitchell, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Warner, Weatherly, and C. Wilson:

H.B. 16, A BILL TO BE ENTITLED AN ACT TO DEVELOP STATEWIDE FOOD STAMP ELECTRONIC BENEFITS TRANSFER, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Howard, Aldridge, Arnold, Baker, Barbee, Berry, Bowie, Brawley, Buchanan, Cansler, Capps, Carpenter, Cocklereece, Culp, Cummings, Daughtry, Davis, Decker, Dockham, Eddins, Edwards, Gardner, Hayes, Hiatt, Holmes, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Mitchell, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, and Warner:

H.B. 17, A BILL TO BE ENTITLED AN ACT TO RETURN THE FOOD STAMP FRAUD FELONY THRESHOLD TO ITS PRE-1991 LIMIT, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Howard, Aldridge, Arnold, Baker, Barbee, Berry, Bowie, Brawley, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Cummings, Daughtry, Davis, Decker, Dockham, Eddins, Edwards, Gardner, Hayes, Hiatt, McComas, McCombs, McMahan, K. Miller, Mitchell, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Weatherly, and C. Wilson:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO ENSURE THE BEST USE OF DAY CARE FUNDS, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Redwine, Crawford, Cunningham, Hensley, Hill, H. Hunter, and Richardson:

H.B. 19, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE 1995 NORTH CAROLINA WELFARE REFORM ACT, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Michaux, Boyd-McIntyre, and Hensley:

H.B. 20, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ALLOW ELECTION OF SUPERIOR COURT BY DIVISION, AND TO IMPLEMENT THAT AMENDMENT, is referred to the Committee on Judiciary I.

By Representative Michaux:

H.B. 21, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF APPELLATE JUSTICES AND JUDGES BY THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, is referred to the Committee on Judiciary I.

By Representatives Michaux, Adams, Boyd-McIntyre, and Earle:

H.B. 22, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE RUNOFF PRIMARY, is referred to the Committee on Judiciary II.

By Representatives Michaux, Adams, Boyd-McIntyre, Earle, and Luebke:

H.B. 23, A BILL TO BE ENTITLED AN ACT TO REPEAL THE RESTRICTIONS ON DEALINGS WITH SOUTH AFRICA NOW THAT THE POLICIES OF THAT COUNTRY HAVE CHANGED, is referred to the Committee on Judiciary I.

By Representatives Howard, Aldridge, Arnold, Baker, Barbee, Berry, Brawley, Buchanan, Cansler, Capps, Carpenter, Clary, Culp, Cummings, Daughtry, Davis, Decker, Dockham, Eddins, Edwards, Gardner, Hayes, Hiatt, Hill, Kiser, McComas, McCombs, McMahan, K. Miller, Mitchell, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Weatherly, and C. Wilson:

H.B. 24, A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF FOOD STAMPS TO PARTICIPATE IN WORKFARE, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Michaux, Adams, Boyd-McIntyre, Earle, Lemmond, and Luebke:

H.B. 25, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ELECTION LAWS REVIEW COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Michaux, Lemmond, and Luebke:

H.B. 26, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE EXTRA CONTRIBUTION-LIMIT PERIOD FOR THE SECOND PRIMARY

FOR CANDIDATES WHO ARE NOT ON THE BALLOT IN A SECOND PRIMARY, is referred to the Committee on Judiciary II.

By Representatives Michaux, Adams, Boyd-McIntyre, Church, Earle, Lemmond, and Luebke:

H.B. 27, A BILL TO BE ENTITLED AN ACT TO STREAMLINE, SIMPLIFY, AND MODERNIZE THE ABSENTEE VOTING LAWS, AND TO CONFORM TO FEDERAL LAWS ON ABSENTEE VOTING, is referred to the Committee on Judiciary II.

By Representatives Michaux, Earle, Hensley, and Luebke:

H.B. 28, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT INFORMATION TO BE REPORTED CONCERNING CAMPAIGN CONTRIBUTORS SHALL INCLUDE OCCUPATION, EMPLOYER'S NAME, AND BUSINESS ADDRESS, is referred to the Committee on Judiciary II.

By Representatives Michaux, Lemmond, and Luebke:

H.B. 29, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE EXEMPTION FROM CAMPAIGN CONTRIBUTION LIMITS FOR GIFTS BY A POLITICAL PARTY EXECUTIVE COMMITTEE, is referred to the Committee on Judiciary II.

By Representatives Michaux, Lemmond, and Luebke:

H.B. 30, A BILL TO BE ENTITLED AN ACT TO AMEND THE CAMPAIGN LAWS TO CHANGE THE SYSTEM OF POSTPRIMARY REPORTING FOR STATEWIDE NONJUDICIAL CANDIDATES AND FOR CANDIDATES FOR THE GENERAL ASSEMBLY, is referred to the Committee on Judiciary II.

By Representatives Michaux, Adams, Hensley, Lemmond, and Luebke:

H.B. 31, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE EXEMPTION OF CONTRIBUTIONS BY FAMILY MEMBERS FROM THE LIMIT ON CONTRIBUTIONS TO A CANDIDATE, is referred to the Committee on Judiciary II.

By Representatives Michaux and Adams:

H.B. 32, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE CALENDARING AUTHORITY FOR CRIMINAL CASES IN SUPERIOR COURT TO THE SENIOR RESIDENT SUPERIOR COURT JUDGE AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON CRIMINAL LAW, is referred to the Committee on Judiciary II.

By Representatives Howard, Buchanan, Davis, Gardner, and Pate:

H.B. 33, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FEE SCHEDULE FOR REAL ESTATE LICENSE EXAMINATIONS AND RENEWALS, is referred to the Committee on Finance.

By Representatives Gamble and Hensley:

H.B. 34, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR TERM LIMITS FOR MEMBERS OF THE GENERAL ASSEMBLY, is referred to the Committee on Judiciary I.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
January 25, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate is organized and is now ready to proceed with the public business; and for your further information advises that the following officers have been elected:

Senator Marc Basnight	President Pro Tempore
Senator R. C. Soles	Deputy President Pro Tempore
Sylvia M. Fink	Principal Clerk
LeRoy Clark, Jr.	Reading Clerk
Cecil Goins	Sergeant-at-Arms.

Further be advised that the Senate has been notified of the election of the following party officers:

Senator J. Richard Conder	Majority Leader
Senator Frank W. Ballance, Jr.	Majority Whip
Senator Betsy L. Cochrane	Minority Leader
Senator Austin M. Allran	Minority Whip

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

INTRODUCTION OF PAGES

Pages for the week of January 25-27 are introduced to the membership. They are: Dana Blackman of Wake; David Burr of Onslow; Mary Camp of Wake; James F. Cooper of Sampson; Jessica Crouse of Chatham; Arthur Daniel of Wake; Joseph Giles of Harnett; Tracey Holloway of Beaufort; Andrea House of Cumberland; Kelly Jones of Davie; Deanna Joyner of Greene; Jesse Lichstein of Pitt; Michael McKenzie, II of Onslow; Curtis Parks of Wake; Samantha Tharp of Chatham; and Jessica Williams of Moore.

On motion of Representative Morgan, seconded by Representative Daughtry, the House adjourns at 10:45 a.m. to reconvene Monday, January 30, 1995, at 8:00 p.m.

THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, January 30, 1995

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Billy Britt, Greensboro, North Carolina, General Superintendent of the Friends Churches in North Carolina.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of January 26 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (104-0).

A leave of absence is granted Representative Yongue for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

January 27, 1995

The Honorable Harold Brubaker
Speaker of the House
Legislative Building
Raleigh, North Carolina 27603

Dear Mr. Speaker:

Pursuant to North Carolina General Statute 53-92, I hereby appoint Hal D. Lingerfelt as Commissioner of Banks and submit his name for confirmation by the North Carolina General Assembly by joint resolution. Mr. Lingerfelt will complete the unexpired term of Commissioner William T. Graham which will expire on March 31, 1995 and serve a full term to commence on April 1, 1995 and expire on March 31, 1999.

Enclosed is a copy of Mr. Lingerfelt's resume. Please feel free to contact him directly should you require additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

The Speaker refers the letter to the Committee on Financial Institutions.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives G. Miller, Black, Hill, Redwine, and Wilkins:

H.B. 35, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX RELIEF AND ECONOMIC COMPETITIVENESS FOR NORTH CAROLINA, is referred to the Committee on Finance.

By Representative McLaughlin:

H.B. 36, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO ESTABLISH A GUBERNATORIAL VETO WITH ONE-HOUSE OVERRIDE, TO MAKE STATUTORY CHANGES IN THE APPOINTMENT OF THE BOARD OF TRANSPORTATION, AND TO PROVIDE FOR LEGISLATIVE CONFIRMATION OF CERTAIN GUBERNATORIAL APPOINTMENTS, is referred to the Committee on Judiciary I.

By Representative McLaughlin:

H.B. 37, A BILL TO BE ENTITLED AN ACT TO MAKE STATUTORY CONFORMING CHANGES NECESSITATED BY AN ACT TO PROVIDE FOR A GUBERNATORIAL VETO, is referred to the Committee on Judiciary I.

By Representatives Morgan, Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Decker, Dockham, Edwards, Esposito, Grady, Hayes, Hiatt, Holmes, Justus, Kiser, Lemmond, Linney, McComas, McMahan, K. Miller, Miner, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 38, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE A TWO-THIRDS VOTE OF EACH HOUSE OF THE GENERAL ASSEMBLY TO LEVY OR INCREASE TAXES, is referred to the Committee on Finance.

By Representatives Yongue, Cummings, and Sutton:

H.B. 39, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXTENSION OF TIME FOR THE CITY OF RAEFORD TO FILE AN APPLICATION FOR A SALES TAX REFUND, is referred to the Committee on Finance.

By Representatives G. Miller and Redwine:

H.B. 40, A BILL TO BE ENTITLED AN ACT TO PROTECT THE CITIZENS OF NORTH CAROLINA FROM PEOPLE WHO COMMIT ACTS OF VIOLENCE, is referred to the Committee on Judiciary II.

By Representatives Daughtry, Brawley, Cummings, Hayes, Morgan, Preston, and Russell:

H.J.R. 41, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warner:

H.B. 42, A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS, is referred to the Committee on Education.

By Representatives Daughtry, Buchanan, Cummings, Dockham, Morgan, Preston, Sexton, and Wood:

H.R. 43, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 1995 GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nichols, Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sherrill, Shubert, Snowden, Thompson, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 44, A BILL TO BE ENTITLED AN ACT TO MAKE STATUTORY CONFORMING CHANGES NECESSITATED BY AN ACT TO PROVIDE FOR A GUBERNATORIAL LINE-ITEM REDUCTION

VETO, is referred to the Committee on Judiciary I.

By Representative Ives:

H.B. 45, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS FOR THE UNIVERSITY OF NORTH CAROLINA TO PROVIDE SUMMER INTERNSHIPS AT THE WATER RESOURCES RESEARCH INSTITUTE, is referred to the Committee on Appropriations, Subcommittee on Education.

By Representative Ives:

H.J.R. 46, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WATER ISSUES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ives and McMahan:

H.B. 47, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LICENSES OF ELECTRICAL CONTRACTORS FOR RESIDENTIAL DWELLINGS, is referred to the Committee on Business and Labor.

By Representative Ives:

H.B. 48, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE LICENSURE OF EMPLOYEE LEASING FIRMS, is referred to the Committee on Business and Labor.

By Representative Ives:

H.B. 49, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FORESTRY HEADQUARTERS BUILDING IN TRANSYLVANIA COUNTY, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Wilkins, Brawley, Buchanan, Church, Fox, Hill, Howard, H. Hunter, Lee, Lemmond, Locke, McMahan, Mercer, Owens, Preston, Ramsey, Redwine, Tolson, and Wainwright:

H.B. 50, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ROLE OF OPTOMETRISTS IN MEDICAL COST CONTAINMENT THROUGH REVISION OF THE HOSPITAL PRIVILEGES LAW, TO

REPEAL THE REQUIREMENT FOR AN OPTOMETRIST TO COLLABORATE WITH A PHYSICIAN IN THE USE OR PRESCRIPTION OF CERTAIN PHARMACEUTICAL AGENTS, TO ESTABLISH PEER REVIEW FOR OPTOMETRISTS, AND TO ESTABLISH AN OPTOMETRIST PRIVILEGE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wilkins, Black, Church, Dockham, Hill, Lemmond, McComas, McMahan, Owens, Preston, Redwine, and Wood:

H.B. 51, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE CONTRACTING OF PRIVATE PRISONS, is referred to the Committee on Judiciary II.

By Representatives McCombs, Allred, J. Brown, Buchanan, McComas, Nichols, Preston, and Redwine:

H.B. 52, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Pensions and Retirement.

By Representatives Redwine and Hill:

H.B. 53, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE SHELLFISH MAPPING PROGRAM, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Redwine and Hill:

H.B. 54, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE OFFICIAL ACTIVITIES OF THE MARINE FISHERIES COMMISSION, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Redwine and Hill:

H.B. 55, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SALES TAX PREFERENCES FOR AGRICULTURE APPLY TO

AQUACULTURE, is referred to the Committee on Finance.

By Representatives Redwine, Hill, and Ives:

H.B. 56, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE COOPERATIVE INSTITUTE FOR FISHERIES OCEANOGRAPHY TO CONTINUE THE SHELLFISH ENHANCEMENT PROGRAM, is referred to the Committee on Appropriations, Subcommittee on Education.

By Representatives Redwine and Hill:

H.B. 57, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE DIVISION OF MARINE FISHERIES TO INCREASE LAW ENFORCEMENT PERSONNEL, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Luebke, Ives, Preston, and Weatherly:

H.B. 58, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DIVISION OF STATE PARKS AND RECREATION ENVIRONMENTAL EDUCATION PROGRAM, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Luebke, Ives, Preston, and Weatherly:

H.B. 59, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF STATE PARKS AND RECREATION AREAS FOR STAFFING, SALARY, AND OTHER OPERATIONS, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Luebke, Culp, Ives, Preston, and Weatherly:

H.B. 60, A BILL TO BE ENTITLED AN ACT TO CREATE A STUDY COMMISSION ON STATE PARKS AND RECREATION AREAS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Dickson, Culp, Cummings, Dockham, Ives, and McMahan:

H.B. 61, A BILL TO BE ENTITLED AN ACT TO PROVIDE IMMUNITY FROM LIABILITY FOR EQUINE ACTIVITIES, is referred to the Committee on Agriculture.

By Representatives Dickson, Cummings, and McMahan:

H.B. 62, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ADVISORY COMMITTEE ON CANCER COORDINATION AND CONTROL, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Hill, Church, Sutton, and Wilkins:

H.B. 63, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SPECIALTY LICENSE FOR TRANSPORT REFRIGERATION CONTRACTORS, TO CHANGE THE COMPOSITION OF THE LICENSING BOARD, TO INCREASE THE RENEWAL FEE, AND TO AMEND OTHER PROVISIONS OF THE LAW GOVERNING REFRIGERATION CONTRACTORS, is referred to the Committee on Business and Labor.

By Representatives Black, W. Brown, Dockham, Hurley, Ives, Lemmond, McMahan, Redwine, and Wilkins:

H.B. 64, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME, is referred to the Committee on Judiciary I.

By Representatives K. Miller, Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Cocklereece, Creech, Culp, Cummings, Davis, Decker, Dockham, Eddins, Edwards, Ellis, Esposito, Gray, Hiatt, Holmes, Howard, Ives, Justus, Lemmond, McComas, McCombs, McMahan, Miner, Neely, Nichols, Pate, Pulley, Rayfield, Reynolds, Russell, Sexton, Shubert, Snowden, Thompson, Weatherly, G. Wilson, and Wood:

H.B. 65, A BILL TO BE ENTITLED AN ACT TO PROVIDE A UNITED STATES FLAG FOR EVERY PUBLIC SCHOOL CLASSROOM AND TO REQUIRE THE STUDENTS TO RECITE THE PLEDGE OF ALLEGIANCE EVERY DAY, is referred to the Committee on Education.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 2, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

COMMITTEE ASSIGNMENT

The Speaker makes the following committee assignment:

WELFARE REFORM AND HUMAN RESOURCES: Representative Howard, Co-Chair.

INTRODUCTION OF PAGES

Pages for the week of January 30 - February 3 are introduced to the membership. They are: Harold Bullard of Cumberland; Elizabeth Cairns of Wake; Julie Davis of Durham; Jeanette Day of Mecklenburg; Treena Ford of Guilford; Kim Fuller of Wake; Jessica Godwin of Harnett; Christopher Gregory of Perquimans; Susan Hamilton of Harnett; Laura Hooper of Davidson; Whitney Jackson of Iredell; Leigh Kite of Randolph; Archie Miller, Jr. of Perquimans; Joy Minchew of Wake; Jonathan Shaw of Onslow; Jana Stam of Wake; and Kelly Yutzy of Iredell.

On motion of Representative Morgan, seconded by Representative Culp, the House adjourns at 8:18 p.m. to reconvene January 31 at 1:30 p.m.

FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, January 31, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Wood.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of January 30 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-0).

Leaves of absence are granted Representatives Bowen, Fitch, McAllister, Wainwright, and Yongue for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Fitch and Luebke:

H.B. 66, A BILL TO BE ENTITLED AN ACT TO REPEAL THE RESTRICTIONS ON DEALINGS WITH SOUTH AFRICA NOW THAT THE POLICIES OF THAT COUNTRY HAVE CHANGED, is referred to the Committee on Judiciary I.

By Representatives Preston, Edwards, Grady, McComas, Nichols, and Snowden:

H.B. 67, A BILL TO BE ENTITLED AN ACT TO CREATE THE STATE-OWNED SUBMERGED LANDS ADVISORY COMMITTEE AND TO REQUIRE THAT THE ADVISORY COMMITTEE MAKE ITS FINAL REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE MAY 1, 1995, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson and Buchanan:

H.B. 68, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF BEECH MOUNTAIN TO REQUIRE THAT CERTAIN RENTAL RESIDENTIAL DWELLING UNITS HAVE SMOKE DETECTORS AND FIRE EXTINGUISHERS, is referred to the Committee on Local and Regional Government II.

By Representatives Thompson and Buchanan:

H.B. 69, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF BEECH MOUNTAIN TO MAKE STREET ASSESSMENTS WITHOUT FIRST RECEIVING A PETITION, is referred to the Committee

on Local and Regional Government II.

By Representatives Edwards, Allred, and McMahan:

H.B. 70, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GOVERNING BODY OF A TAXING UNIT MAY DELAY THE ACCRUAL OF INTEREST ON CERTAIN UNPAID PROPERTY TAXES, is referred to the Committee on Finance.

By Representatives Edwards, J. Brown, and McMahan:

H.B. 71, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FIRE FIGHTERS AND EMERGENCY MEDICAL SERVICE PERSONNEL MAY POSSESS OR CARRY WEAPONS ON SCHOOL GROUNDS WHEN DISCHARGING THEIR OFFICIAL DUTIES, is referred to the Committee on Education.

By Representatives Decker, Brawley, J. Brown, Capps, Cocklereece, Cummings, Davis, Gray, Hurley, McMahan, K. Miller, Reynolds, Russell, Warner, and Wood:

H.B. 72, A BILL TO BE ENTITLED AN ACT TO CRIMINALIZE INDECENT LIBERTIES BETWEEN CHILDREN, is referred to the Committee on Judiciary II.

By Representative Ellis:

H.J.R. 73, A JOINT RESOLUTION DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUE OF REPRESENTATION OF EXTRATERRITORIALLY ZONED AREAS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ellis and Capps:

H.B. 74, A BILL TO BE ENTITLED AN ACT TO ALLOW RESIDENTS OF THE EXTRATERRITORIAL PLANNING JURISDICTION OF A CITY TO VOTE IN ELECTIONS OF THAT CITY, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Judiciary II.

By Representatives Ellis, Nichols, and Warner:

H.B. 75, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TOLL-FREE NUMBER FOR PERSONS TO REPORT CAMPAIGN SIGNS WHICH HAVE NOT BEEN REMOVED ON A TIMELY BASIS AFTER THE ELECTION CYCLE, AND TO PROVIDE FOR RAISING REVENUE BY LEVYING A CIVIL PENALTY ON PERSONS WHO HAVE FAILED TO REMOVE THE SIGNS, is referred to the Committee on Judiciary II.

By Representative Wainwright:

H.B. 76, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A RESERVE FOR STATE ASSISTANCE TO A CENTER FOR THE PROMOTION OF AFRICAN-AMERICAN HERITAGE AND CULTURE IN NORTH CAROLINA AND TO ESTABLISH AN AFRICAN-AMERICAN HERITAGE AND CULTURE ADVISORY COMMITTEE, is referred to the Committee on Rules, Calendar, and Operations of the House and, if favorable, to the Committee on Appropriations.

By Representative Wainwright:

H.B. 77, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL BOARDS TO PROVIDE THE NORTH CAROLINA HISTORICAL COMMISSION WITH NOTICE OF PLANS TO REPLACE OLD SCHOOL BUILDINGS BY SUBMITTING THE FEASIBILITY AND COST ANALYSES FOR REVIEW BY THE COMMISSION, is referred to the Committee on Education.

By Representative Wainwright:

H.B. 78, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STUDY COMMISSION ON THE DISPOSITION OF PUBLIC SCHOOL BUILDINGS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Decker, Allred, Brawley, Cocklereece, Hurley, McMahan, and Nichols:

H.B. 79, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO MEETS SPECIFIED STATUTORY CRITERIA MAY CARRY A CONCEALED HANDGUN IF THE PERSON HAS OBTAINED A CONCEALED HANDGUN PERMIT, TO AUTHORIZE SHERIFFS TO ISSUE CONCEALED HANDGUN PERMITS, TO ESTABLISH THE CRITERIA THAT MUST BE SATISFIED TO RECEIVE THE PERMIT, TO

ESTABLISH THE PROCEDURE FOR THE ISSUANCE OF A CONCEALED HANDGUN PERMIT, AND TO MAKE CONFORMING STATUTORY CHANGES, is referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative Neely, the House adjourns at 1:41 p.m. to reconvene February 1 at 1:30 p.m.

FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 1, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Wainwright.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of January 31 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (95-0).

A leave of absence is granted Representative Wood for today.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.J.R. 2, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of

February 2.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Tallent, Arnold, Buchanan, Gamble, Luebke, and Ramsey:

H.B. 80, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SPECIAL USE TAX ON CONSTRUCTION EQUIPMENT BROUGHT INTO THE STATE, is referred to the Committee on Finance.

By Representatives R. Hunter, Buchanan, Hill, Rayfield, Wainwright, and Warner:

H.B. 81, A BILL TO BE ENTITLED AN ACT TO REQUIRE MANDATORY ACTIVE JAIL SENTENCES FOR PERSONS CONVICTED OF DRIVING WHILE IMPAIRED WITH BLOOD ALCOHOL LEVELS OF MORE THAN FIFTEEN HUNDREDTHS PERCENT, is referred to the Committee on Judiciary II.

By Representatives Mitchell, Allred, Buchanan, and Howard:

H.B. 82, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE GENERAL ASSEMBLY AND CHAIRS OF COUNTY BOARDS OF COMMISSIONERS TO ADMINISTER OATHS OF OFFICE, is referred to the Committee on State Government.

By Representatives Mitchell, Allred, Berry, Buchanan, Carpenter, Dickson, Kiser, McComas, Rayfield, and Sexton:

H.B. 83, A BILL TO BE ENTITLED AN ACT EXEMPT FROM THE HIGHWAY USE TAX FIRE TRUCKS AND RESCUE VEHICLES OWNED BY VOLUNTEER FIRE DEPARTMENTS AND VOLUNTEER RESCUE SQUADS, is referred to the Committee on Finance.

By Representatives Mitchell, Allred, Berry, Buchanan, Hill, McComas, and McCombs:

H.B. 84, A BILL TO BE ENTITLED AN ACT TO EXTEND THE

JOBS TAX CREDIT TO APPLY TO JOBS CREATED IN ANY COUNTY, is referred to the Committee on Finance.

By Representatives Brawley, Buchanan, K. Miller, Rayfield, and Wainwright:

H.B. 85, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NONPROFIT BARBER SCHOOLS HAVE ONE INSTRUCTOR FOR EVERY TWENTY-FIVE STUDENTS, is referred to the Committee on Business and Labor.

By Representatives J. Brown, Berry, Bowie, Buchanan, Carpenter, Clary, Cocklereece, Culp, Decker, Grady, Hiatt, Hill, Holmes, Justus, Kiser, McComas, Preston, Rayfield, Sexton, Sharpe, Warner, and Weatherly:

H.B. 86, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE IDENTIFICATION OF THE FATHER OF ANY CHILD ELIGIBLE FOR PUBLIC ASSISTANCE, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives J. Brown, Berry, Buchanan, Clary, Cocklereece, Culp, Decker, Grady, Hiatt, Hill, Justus, McComas, Mitchell, Sharpe, Warner, and Weatherly:

H.B. 87, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION TO BUNK INMATES IN SHIFTS, is referred to the Committee on Judiciary II.

By Representatives Hightower, J. Brown, Buchanan, Edwards, Hill, R. Hunter, Lee, Redwine, Tolson, and Wright:

H.B. 88, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL PERSONNEL FOR THE DIVISION OF EMERGENCY MANAGEMENT AND THE NORTH CAROLINA CENTER FOR MISSING PERSONS, is referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

By Representatives Hightower, Beall, Brawley, J. Brown, Buchanan, Hill, Rayfield, Sutton, Tolson, and Warner:

H.B. 89, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE POLICY ON EMPLOYMENT OF PRISONERS, is referred to the

Committee on Judiciary II.

By Representatives Nichols, Aldridge, Allred, Berry, Bowie, Brawley, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Davis, Decker, Dickson, Dockham, Edwards, Ellis, Gardner, Hill, Howard, Hurley, Justus, Kiser, Linney, McComas, McCombs, Mercer, K. Miller, Mitchell, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Shubert, Snowden, Thompson, Wainwright, Warner, Weatherly, C. Wilson, and G. Wilson:

H.B. 90, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO MEETS SPECIFIED STATUTORY CRITERIA MAY CARRY A CONCEALED HANDGUN IF THE PERSON HAS OBTAINED A CONCEALED HANDGUN PERMIT, TO AUTHORIZE SHERIFFS TO ISSUE CONCEALED HANDGUN PERMITS, TO ESTABLISH THE CRITERIA THAT MUST BE SATISFIED TO RECEIVE THE PERMIT, TO ESTABLISH THE PROCEDURE FOR THE ISSUANCE OF A CONCEALED HANDGUN PERMIT, AND TO MAKE CONFORMING STATUTORY CHANGES, is referred to the Committee on Judiciary II.

By Representatives Tallent and Buchanan:

H.J.R. 91, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF HAL D. LINGERFELT AS COMMISSIONER OF BANKS, is referred to the Committee on Financial Institutions.

On motion of Representative Morgan, seconded by Representative Dockham, the House adjourns at 1:40 p.m. to reconvene February 2, at 1:30 p.m.

SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 2, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to

order by the Speaker.

Prayer is offered by Representative Hayes.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 1 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (99-1).

A leave of absence is granted Representative Linney for today.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Tallent for the Committee on Financial Institutions:

H.J.R. 91, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF HAL D. LINGERFELT AS COMMISSIONER OF BANKS, with a favorable report.

Pursuant to Rule 36(a), the bill is place on the Calendar for February 6.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Warner, Beall, W. Brown, Buchanan, Cummings, Decker, R. Hunter, Hurley, McLaughlin, Preston, Redwine, Sexton, and Shubert:

H.B. 92, A BILL TO BE ENTITLED AN ACT TO WAIVE THE THIRTY-DAY PROTEST RULE SO THAT FEDERAL RETIREES MAY RECEIVE REFUNDS IN THREE ANNUAL INSTALLMENTS FOR INCOME TAX PAID ON THEIR RETIREMENT BENEFITS FOR TAX

YEARS 1985 THROUGH 1988, is referred to the Committee on Finance.

By Representative Ellis:

H.B. 93, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LIMITATIONS ON FUND-RAISING DURING LEGISLATIVE SESSIONS, is referred to the Committee on Judiciary II.

By Representatives Gamble, Arnold, Ramsey, and Tallent:

H.B. 94, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX FREE SAMPLES OF PRESCRIPTION DRUGS DISTRIBUTED BY THE MANUFACTURER, is referred to the Committee on Finance.

By Representatives Gamble and Luebke:

H.J.R. 95, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY AND EVALUATE THE MULTITUDE OF SPECIAL TAX EXEMPTIONS, DEDUCTIONS, AND EXCLUSIONS IN THE TAX STRUCTURE OF NORTH CAROLINA, is referred to the Committee on Finance.

By Representatives Edwards, Aldridge, Buchanan, Culp, Gardner, Howard, H. Hunter, Justus, Kiser, and Sexton:

H.B. 96, A BILL TO BE ENTITLED AN ACT TO IMPOSE CRIMINAL PENALTIES FOR THE ABUSE, NEGLECT, OR EXPLOITATION OF DISABLED OR ELDER ADULTS LIVING IN A DOMESTIC SETTING, is referred to the Committee on Judiciary II.

By Representatives Edwards, Aldridge, Culp, Gardner, and Howard:

H.B. 97, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON REVERSE MORTGAGES, is referred to the Committee on Financial Institutions.

By Representatives Edwards, Aldridge, Buchanan, Culp, Gardner, and Howard:

H.B. 98, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY LONG-TERM

CARE INSURANCE, is referred to the Committee on Insurance.

By Representatives Edwards, Buchanan, Culp, Gardner, Howard, H. Hunter, and Justus:

H.B. 99, A BILL TO BE ENTITLED AN ACT TO CREATE THE LONG-TERM CARE SUBCOMMITTEE AND TO PROVIDE FOR THE CREATION OF OTHER SUBCOMMITTEES OF THE NORTH CAROLINA STUDY COMMISSION ON AGING AND TO MAKE CHANGES TO THE LONG-TERM CARE LAW, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Edwards, Buchanan, Culp, Gardner, Howard, and Luebke:

H.B. 100, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE FUNDING TO THE NORTH CAROLINA ELDERLY AND DISABLED TRANSPORTATION ASSISTANCE PROGRAM, is referred to the Committee on Appropriations, Subcommittee on Transportation.

By Representatives Edwards, Aldridge, Buchanan, Culp, Gardner, Howard, Justus, Luebke, and Sexton:

H.B. 101, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE FUNDING FOR IN-HOME AIDE SERVICES AND CAREGIVER SUPPORT SERVICES, is referred to the Committee on Appropriations, Subcommittee on Human Resources.

By Representatives Michaux, Lemmond, and Luebke:

H.B. 102, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN VOTER REGISTRATION LAWS AND OTHER ELECTION LAWS, is referred to the Committee on Judiciary II.

By Representatives Brawley, J. Brown, Buchanan, Gardner, Justus, and Shubert:

H.B. 103, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE INSURANCE FRAUD LAW, is referred to the Committee on Insurance.

By Representatives Brawley, J. Brown, Buchanan, Cummings, Decker,

Hill, Justus, and K. Miller:

H.B. 104, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE VOTER APPROVAL BEFORE MOST TAXES MAY BE LEVIED OR INCREASED, EXCEPT IN THE CASE OF AN EMERGENCY DECLARED BY THE GOVERNOR, is referred to the Committee on Judiciary I.

CALENDAR

Action is taken on the following:

S.J.R. 2, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.J.R. 2, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES. (RESOLUTION 1)

On motion of Representative Morgan, seconded by Representative Owens, the House adjourns at 1:46 p.m. to reconvene Monday, February 6, 1995, at 8:00 p.m.

SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 6, 1995

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brawley.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 2 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (100-0).

Leaves of absence are granted Representatives Wood and Wright for today.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Berry and Howard for the Committee on Welfare Reform and Human Resources:

H.B. 17, A BILL TO BE ENTITLED AN ACT TO RETURN THE FOOD STAMP FRAUD FELONY THRESHOLD TO ITS PRE-1991 LIMIT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Mercer, Adams, Alexander, Arnold, Barbee, Barnes, Beall, Bowie, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter,

Church, Cocklereece, Culp, Culpepper, Cummings, Decker, Dockham, Edwards, Ellis, Fitch, Fox, Gamble, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McComas, McCrary, McMahan, K. Miller, Miner, Mitchell, Nye, Oldham, Owens, Pate, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Warner, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue:

H.B. 105, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND AND THE MONTHLY MEMBER CONTRIBUTION AND TO DECLARE THE INTENT OF THE LEGISLATURE TO PROVIDE COST-OF-LIVING INCREASES, AS FUNDS ARE AVAILABLE, is referred to the Committee on Pensions and Retirement.

By Representatives Culpepper and R. Hunter:

H.B. 106, A BILL TO BE ENTITLED AN ACT TO LIMIT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO SERVICE AS SPEAKER IN TWO CONSECUTIVE GENERAL ASSEMBLIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Culpepper, Beall, J. Brown, Buchanan, Gardner, Hunt, R. Hunter, Hurley, Justus, Nichols, Oldham, Russell, Shubert, and Sutton:

H.B. 107, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Pensions and Retirement.

By Representatives J. Brown, Buchanan, and Justus:

H.B. 108, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIALIZED REGISTRATION PLATES FOR RETIRED CLERKS OF SUPERIOR COURT, is referred to the Committee on State Government.

By Representatives Mitchell, Buchanan, Gardner, Justus, and Shubert:

H.B. 109, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HIGH SCHOOL AGE CHILDREN WHO DO NOT ATTEND SCHOOL

SHALL NOT BE ELIGIBLE FOR DRIVERS LICENSES, is referred to the Committee on Education.

By Representatives Mitchell, Justus, Nichols, Oldham, and Shubert:

H.B. 110, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO PROVIDE LIABILITY INSURANCE FOR PUBLIC SCHOOL EMPLOYEES, is referred to the Committee on Education.

By Representatives Ives, Beall, Decker, Gardner, R. Hunter, Justus, K. Miller, Mitchell, Nichols, Russell, Shubert, and Sutton:

H.B. 111, A BILL TO BE ENTITLED AN ACT TO OPEN THE COURT RECORDS AND PUBLISH THE IDENTITY OF JUVENILES WHO HAVE COMMITTED A-E FELONIES, is referred to the Committee on Judiciary II.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 3, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO, is read the first time and referred to the Committee on Judiciary I.

CALENDAR

Action is taken on the following:

H.J.R. 91, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF HAL D. LINGERFELT AS COMMISSIONER OF BANKS, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

INTRODUCTION OF PAGES

Pages for the week of February 6-10 are introduced to the membership. They are: Darrin Autry of Cumberland; Michael Batts of Nash; Darren Brown

of Henderson; Jeff Bryant of Edgecombe; David Coble of Stanly; Corie Coley of Catawba; Jessica Dewey of Guilford; Deanna Gouge of Mitchell; Donna Hall of Union; Jeremiah Hall of Cumberland; Alison Johnson of Wake; Gregor Lee of Buncombe; Joshua Lovell of Davidson; Renee McKoy of Bladen; Kimberly McNeil of Harnett; David Merritt of Sampson; Jeremiah Purcell of Transylvania; Kirk Stanford of Guilford; and Katie Wylie of Mitchell.

On motion of Representative Morgan, seconded by Representative Wilkins, the House adjourns at 8:14 p.m. to reconvene February 7 at 1:30 p.m.

EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 7, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Hurley.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 6, has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (110-0).

Leaves of absence are granted Representatives Sutton and Wright for today.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives C. Wilson, Arnold, and Gray for the Committee on Finance:

H.B. 70, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GOVERNING BODY OF A TAXING UNIT MAY DELAY THE ACCRUAL OF INTEREST ON CERTAIN UNPAID PROPERTY TAXES, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for February 8.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Richardson, Alexander, Beall, Fitch, Hensley, Hunt, H. Hunter, Luebke, Redwine, and Yongue:

H.B. 112, A BILL TO BE ENTITLED AN ACT TO REPEAL THE STATE SALES TAX ON FOOD, is referred to the Committee on Finance.

By Representatives Daughtry, Hensley, Hill, McMahan, and Shubert:

H.B. 113, A BILL TO BE ENTITLED AN ACT TO REGULATE PUBLIC ACCESS TO AND USE OF CRIMINAL JUSTICE RECORDS, is referred to the Committee on Judiciary I.

By Representatives Allred, K. Miller, and Reynolds:

H.B. 114, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MERGER OF THE ALAMANCE COUNTY SCHOOLS AND THE BURLINGTON CITY SCHOOLS MAY BECOME EFFECTIVE ONLY IF APPROVED BY THE VOTERS OF ALAMANCE COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Locke, Crawford, and Wilkins:

H.B. 115, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STRUCTURE AND APPOINTMENT OF THE HALIFAX ABC BOARD AND TO PROVIDE THAT DISTRIBUTION OF REVENUE SHALL BE ACCORDING TO GENERAL STATUTE, is referred to the Committee on Judiciary II.

By Representative Wainwright:

H.B. 116, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CIVIL PENALTIES FOR VIOLATIONS OF THE GASOLINE AND OIL INSPECTION LAW, THE MEAT INSPECTION LAW, AND THE ANIMAL WELFARE AND ANIMAL HEALTH LAWS, is referred to the Committee on Agriculture and, if favorable, to the Committee on Judiciary I.

By Representative Wainwright:

H.B. 117, A BILL TO BE ENTITLED AN ACT TO PROHIBIT FARMERS FROM CONTRACTING FOR THE AERIAL APPLICATION OF PESTICIDES IN RESTRICTED AREAS AND TO LIMIT THE AMOUNT OF THE CIVIL PENALTY TO BE LEVIED BY THE PESTICIDE BOARD IN CASES WHERE THERE IS ONLY VEGETATIVE DAMAGE IN THE NONTARGET AREA, is referred to the Committee on Agriculture and, if favorable, to the Committee on Judiciary I.

By Representatives Wainwright and Buchanan:

H.B. 118, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE COMPOSTING OF POULTRY CARCASSES AND PROVIDE AN INCOME TAX CREDIT FOR POULTRY COMPOSTING FACILITIES, is referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

By Representatives Wainwright and Buchanan:

H.B. 119, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES, is referred to the Committee on Judiciary I.

By Representative Ellis:

H.B. 120, A BILL TO BE ENTITLED AN ACT TO ALLOW A PAYROLL DEDUCTION FOR MEMBERS OF THE GENERAL ASSEMBLY FOR CONTRIBUTIONS TO CERTAIN QUALIFIED CHARITABLE ORGANIZATIONS, is referred to the Committee on State Government.

By Representatives Yongue, Buchanan, and Cummings:

H.B. 121, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HUNTING OF DEER WITH MUZZLE-LOADING RIFLES OF ANY CALIBER DURING MUZZLE-LOADING DEER SEASON IN SCOTLAND COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Arnold, Gamble, Luebke, Ramsey, and Tallent:

H.B. 122, A BILL TO BE ENTITLED AN ACT TO ALLOW SPECIAL MOBILE EQUIPMENT DEALERS TO USE TRANSPORTER PLATES ON THE EQUIPMENT IN CERTAIN CIRCUMSTANCES AND TO PROVIDE A HIGHWAY USE TAX EXEMPTION AND A REDUCED TITLE FEE FOR THE TRANSFER OF A WRECKED MOTOR VEHICLE FROM AN INSURANCE COMPANY TO THE PERSON WHO OWNED THE VEHICLE WHEN IT WAS WRECKED, is referred to the Committee on Transportation.

By Representatives Arnold, Gamble, Luebke, Ramsey, and Tallent:

H.B. 123, A BILL TO BE ENTITLED AN ACT TO REVISE THE CONTROLLED SUBSTANCE EXCISE TAX, is referred to the Committee on Judiciary I and, if favorable, to the Committee on Finance.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 16, A BILL DIRECTING THE STATE BOARD OF EDUCATION TO RECOMMEND CHANGES IN THE PUBLIC SCHOOL SYSTEM, is read the first time and referred to the Committee on Education.

On motion of Representative Pulley, seconded by Representative Esposito, the House adjourns at 1:42 p.m. to reconvene February 8 at 1:30 p.m.

NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 8, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Russell.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 7 has been examined and found correct. Upon his motion, the Journal is approved as written by

electronic vote (111-0).

Leaves of absence are granted Representatives Barnes and Bowen for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Daughtry for the Committee on Judiciary I:

S.B. 3, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO, with a favorable report as to House committee substitute bill, unfavorable as to Senate bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for February 9. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO REDUCE INCOME TAXES FOR THE WORKING PEOPLE OF NORTH CAROLINA BY INCREASING THE PERSONAL EXEMPTION DEDUCTION BY FIVE HUNDRED DOLLARS AND BY ALLOWING A TAX CREDIT OF FIFTY DOLLARS PER DEPENDENT CHILD, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for February 9.

SUBCOMMITTEE REFERRAL

Representatives Berry and Howard, Co-Chairs for the Standing Committee on Welfare Reform and Human Resources, refer **H.B. 99,** A BILL TO BE ENTITLED AN ACT TO CREATE THE LONG-TERM CARE SUBCOMMITTEE AND TO PROVIDE FOR THE CREATION OF OTHER SUBCOMMITTEES OF THE NORTH CAROLINA STUDY COMMISSION ON AGING AND TO MAKE CHANGES TO THE LONG-TERM CARE LAW, to the Permanent Subcommittee on Aging.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Shaw, Beall, Boyd-McIntyre, Brawley, Buchanan, Cocklereece, Cummings, Dockham, Earle, H. Hunter, Hurley, Nichols, Oldham, and Womble:

H.J.R. 124, A JOINT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO REDECLARE THE WAR ON ILLEGAL DRUGS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Carpenter, Aldridge, Allred, Baker, Beall, Brawley, J. Brown, Buchanan, Cansler, Clary, Cocklereece, Creech, Decker, Edwards, Fitch, Grady, Hayes, Hiatt, H. Hunter, Kiser, Lemmond, McComas, Nichols, Owens, Pulley, Reynolds, Russell, Sexton, Shubert, Snowden, Sutton, Thompson, Weatherly, C. Wilson, and G. Wilson:

H.B. 125, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF CORRECTION TO ENTER CERTAIN CONTRACTS FOR THE HOUSING OF STATE PRISONERS IN LOCAL CONFINEMENT FACILITIES, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Appropriations.

By Representatives Wood, Cummings, Dockham, Eddins, McComas, and McMahan:

H.R. 126, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Shubert, Aldridge, Allred, Baker, Barbee, Berry, Bowen, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Cummings, Davis, Decker, Dickson, Dockham, Eddins, Fox, Gardner, Grady, Hayes, Hiatt, Hill, H. Hunter, Justus, Kiser, Lemmond, Linney, Locke, McComas, McCombs, McMahan, Mitchell, Morgan, Nichols, Owens, Pate, Rayfield, Redwine, Reynolds, Russell, Sexton, Sharpe, Sherrill, Snowden, Tallent, Thompson, Tolson, Weatherly, C. Wilson,

G. Wilson, and Yongue:

H.B. 127, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES, is referred to the Committee on Judiciary I.

By Representatives Fox, Crawford, and Wilkins:

H.B. 128, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF HENDERSON TO USE WHEEL LOCKS ON CERTAIN ILLEGALLY PARKED VEHICLES, is referred to the Committee on Local and Regional Government I.

By Representatives Gamble, Beall, and Hensley:

H.B. 129, A BILL TO BE ENTITLED AN ACT TO PROTECT THE TAXPAYERS OF NORTH CAROLINA BY ESTABLISHING THE TAXPAYER BILL OF RIGHTS, is referred to the Committee on Finance.

By Representatives Grady, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lemmond, McAllister, McComas, McCombs, McCrary, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Warner, Weatherly, C. Wilson, G. Wilson, Womble, and Wood:

H.B. 130, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME, is referred to the Committee on Judiciary I.

By Representatives Hill and Redwine:

H.B. 131, A BILL TO BE ENTITLED AN ACT TO APPOINT MEMBERS OF THE WHITEVILLE CITY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representatives Hill, Justus, and Redwine:

H.B. 132, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CEMETERY COMMISSION AND THE REGULATION OF CEMETERIES IN THIS STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hill, Redwine, and Wright:

H.B. 133, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF COLUMBUS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives McLaughlin, Bowie, McAllister, Sutton, and Yongue:

H.B. 134, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE MOTOR VEHICLE LAWS AND OTHER LAWS CONCERNING THE DEPARTMENT OF TRANSPORTATION, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representatives McLaughlin, Bowie, McAllister, and Yongue:

H.B. 135, A BILL TO BE ENTITLED AN ACT TO MAKE CONFIDENTIAL ALL PHOTOGRAPHIC IMAGES RECORDED BY THE DIVISION OF MOTOR VEHICLES FOR DRIVERS LICENSES, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representatives McLaughlin, Bowie, McAllister, and Yongue:

H.B. 136, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE EXEMPTION FOR REAL ESTATE ACQUIRED BY THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT THAT IT BE APPRAISED BY A LICENSED OR CERTIFIED APPRAISER WHEN THE ESTIMATED VALUE OF THE REAL ESTATE IS LESS THAN TEN THOUSAND DOLLARS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sexton, Allred, K. Miller, and Reynolds:

H.B. 137, A BILL TO BE ENTITLED AN ACT TO MODIFY THE

MEMBERSHIP OF THE ROCKINGHAM TOURISM DEVELOPMENT AUTHORITY, is referred to the Committee on Local and Regional Government II.

By Representatives Braswell, Arnold, Gamble, H. Hunter, Luebke, Ramsey, and Tallent:

H.B. 138, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF LOOSE, UNPACKED CIGARETTES, is referred to the Committee on Business and Labor.

By Representatives R. Hunter, Buchanan, Gamble, Hightower, Howard, Lee, Luebke, and Weatherly:

H.B. 139, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MINIMUM HIGHWAY USE TAX, is referred to the Committee on Finance.

By Representative R. Hunter:

H.B. 140, A BILL TO BE ENTITLED AN ACT TO REVISE THE PENALTIES FOR DRIVING A VEHICLE WITHOUT INSURANCE, is referred to the Committee on Judiciary II.

By Representatives R. Hunter, Blue, W. Brown, Crawford, Daughtry, Fitch, Howard, Robinson, and Russell:

H.J.R. 141, A JOINT RESOLUTION SUPPORTING PARTICIPATION IN A CONFERENCE OF THE STATES FOR THE PURPOSE OF RESTORING BALANCE IN THE FEDERAL SYSTEM, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute for **S.B. 13,** A BILL TO BE ENTITLED AN ACT TO FURTHER REDUCE EMPLOYERS' UNEMPLOYMENT INSURANCE TAXES, is read the first time and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 70, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GOVERNING BODY OF A TAXING UNIT MAY DELAY THE ACCRUAL OF INTEREST ON CERTAIN UNPAID PROPERTY TAXES.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (115-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

ESCORT COMMITTEE APPOINTED

The Speaker appoints the following members as an Escort Committee for the Governor, pursuant to **S.J.R. 2,** A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES: Representatives Daughtry, Black, Russell, Cummings, Blue, and Thompson.

The Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
February 8, 1995

Mr. Speaker:

Pursuant to **S.J.R. 2,** A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, the President Pro Tempore appoints as a committee on the part of the Senate to escort the Governor to the Joint Session in the Hall of the House of Representatives on Thursday, February 9, 1995, at 12:00 noon.

Senator Soles, Chairman
Senator Conder
Senator Ballance
Senator Cochrane

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 91, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF HAL D. LINGERFELT AS COMMISSIONER OF BANKS. (RESOLUTION 2)

On motion of Representative Morgan, seconded by Representative Brawley, the House adjourns at 1:59 p.m. to reconvene February 9 at 11:30 a.m.

TENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 9, 1995

The House meets at 11:30 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Howard.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 8 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (93-0).

A leave of absence is granted Representative Tallent for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives C. Wilson, Aldridge, Allred, Arnold, Baker, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Culp, Cummings, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Justus, Kiser, Lemmond, McComas, McMahan, K. Miller, Neely, Nichols, Pate, Preston, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Weatherly, and G. Wilson:

H.B. 142, A BILL TO BE ENTITLED AN ACT TO REPEAL THE INTANGIBLES TAX AND TO APPROPRIATE FUNDS TO LOCAL GOVERNMENTS TO REIMBURSE THEM FOR THEIR RESULTING REVENUE LOSS, is referred to the Committee on Finance.

By Representatives Lemmond, Black, Church, Hill, and McComas:

H.B. 143, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FIVE PERCENT REDUCTION IN WORKERS' COMPENSATION INSURANCE TO EMPLOYERS WHO IMPLEMENT AN APPROVED DRUG-FREE WORKPLACE PROGRAM AND TO PROVIDE REQUIREMENTS FOR A DRUG-FREE WORKPLACE PROGRAM THAT WILL ENABLE AN EMPLOYER TO QUALIFY FOR THIS REDUCTION IN INSURANCE PREMIUMS, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Finance.

By Representatives Hurley, Allred, Beall, Black, Brawley, Church, Cocklereece, Gamble, Gardner, Hensley, Hunt, R. Hunter, Justus, McComas, Nichols, Ramsey, Rayfield, Richardson, Robinson, Russell, Sharpe, Shaw, Sherrill, Shubert, Sutton, Warner, and Yongue:

H.B. 144, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES REFUNDS IN FIVE ANNUAL INSTALLMENTS, WITHOUT INTEREST, FOR INCOME TAX PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988, is referred to the Committee on Finance.

By Representative Crawford:

H.B. 145, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROANOKE RAPIDS,

is referred to the Committee on Local and Regional Government I.

By Representatives Cummings, Sutton, and Yongue:

H.B. 146, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LUMBERTON TO ENACT ORDINANCES REGULATING THE TOWING OF MOTOR VEHICLES THAT HAVE BEEN ABANDONED AND ARE NOT COVERED BY FINANCIAL RESPONSIBILITY, is referred to the Committee on Local and Regional Government II.

By Representatives Hensley, Adams, J. Brown, Culp, Dickson, Eddins, H. Hunter, R. Hunter, Sherrill, Thompson, and Weatherly:

H.B. 147, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MAY CARRY A CONCEALED WEAPON WHEN OFF-DUTY IN NORTH CAROLINA, is referred to the Committee on Judiciary II.

By Representatives Hensley, Allred, Hill, and Lemmond:

H.B. 148, A BILL TO BE ENTITLED AN ACT TO ALLOW LEFT TURNS ON RED IN CERTAIN SITUATIONS, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representatives Hensley and Wood:

H.B. 149, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERTAINING TO THE FILING, ENFORCEMENT, AND REGISTRY OF OUT-OF-STATE CUSTODY DECREES, is referred to the Committee on Judiciary I.

By Representatives Redwine, Barnes, Hill, and Michaux:

H.B. 150, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR DRUG SALES, is referred to the Committee on Judiciary II.

By Representatives Redwine, Barnes, Hill, and Michaux:

H.B. 151, A BILL TO BE ENTITLED AN ACT TO INCLUDE IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, is referred to the Committee on Judiciary II.

By Representatives Redwine, Barnes, Hill, and Michaux:

H.B. 152, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE-COUNTY CRIMINAL JUSTICE PARTNERSHIP ACT, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

By Representatives Redwine and Hill:

H.B. 153, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE SHELLFISH LEASE PROGRAM, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives H. Hunter and Luebke:

H.R. 154, A HOUSE RESOLUTION COMMEMORATING THE TWENTY-FIFTH ANNIVERSARY OF SESAME STREET, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Michaux, Barnes, and Redwine:

H.B. 155, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO PROVIDE FOR VICTIM IMPACT STATEMENTS FOR PRESENTATION TO THE COURT, TO ORDER RESTITUTION TO VICTIMS WHERE APPROPRIATE, TO MAKE RESTITUTION A FIRST PRIORITY, AND TO EXTEND PROBATION FOR THE PAYMENT OF RESTITUTION, is referred to the Committee on Judiciary II.

By Representatives Michaux, Barnes, and Redwine:

H.B. 156, A BILL TO BE ENTITLED AN ACT TO MODIFY MISDEMEANOR STRUCTURED SENTENCING STATUTES TO PERMIT AN ACTIVE SENTENCE EQUAL TO OR LESS THAN TIME SERVED, is referred to the Committee on Judiciary II.

By Representatives Michaux, Barnes, and Redwine:

H.B. 157, A BILL TO BE ENTITLED AN ACT TO MAKE

TECHNICAL AND CLARIFYING AMENDMENTS AS RECOMMENDED BY THE SENTENCING COMMISSION, is referred to the Committee on Judiciary II.

By Representative Wainwright:

H.B. 158, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEED LAW, is referred to the Committee on Agriculture.

By Representatives Weatherly, Arnold, Black, J. Brown, Crawford, Culp, Davis, Ellis, Gray, Hill, R. Hunter, Hurley, Mitchell, Nichols, Pate, Preston, Robinson, Sexton, Sherrill, Thompson, and Warner:

H.B. 159, A BILL TO BE ENTITLED AN ACT TO PROVIDE SALES TAX REFUNDS FOR MANDATED PURCHASES OF WORKER SAFETY EQUIPMENT, is referred to the Committee on Finance.

By Representatives Gardner and H. Hunter:

H.B. 160, A BILL TO BE ENTITLED AN ACT TO CREATE A DRUG-FREE PUBLIC HOUSING ZONE BY PROVIDING AN ENHANCED PENALTY FOR DRUG OFFENSES NEAR PUBLIC HOUSING IN THE CITY OF SALISBURY, is referred to the Committee on Local and Regional Government II.

By Representatives Dickson, Adams, Aldridge, Alexander, Allred, Arnold, Barbee, Beall, Berry, Black, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue:

H.B. 161, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE PUBLIC WITH ACCESS TO LOW-COST TELECOMMUNICATIONS SERVICE IN A CHANGING COMPETITIVE ENVIRONMENT, is referred

to the Committee on Public Utilities.

By Representatives Gamble and Lemmond:

H.B. 162, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEBTS THAT REMAIN UNPAID ONE HUNDRED TWENTY DAYS AFTER THEY ARE DUE ARE TAXABLE AS INCOME TO THE DEBTOR, is referred to the Committee on Finance.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 4, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROVIDING THAT A DEFENDANT MAY CHOOSE IMPRISONMENT RATHER THAN PROBATION OR AN ALTERNATIVE PUNISHMENT AND TO AMEND THE CONSTITUTION TO PROVIDE THAT PROBATION, RESTITUTION, COMMUNITY SERVICE, WORK PROGRAMS, AND OTHER RESTRAINTS ON LIBERTY ARE PUNISHMENTS THAT MAY BE IMPOSED ON A PERSON CONVICTED OF A CRIMINAL OFFENSE, is read the first time and referred to the Committee on Judiciary II.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.B. 75, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXTENSION OF TIME FOR THE CITY OF RAEFORD TO FILE AN APPLICATION FOR A SALES TAX REFUND, is read the first time and referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
February 9, 1995

Mr. Speaker:

It is ordered that a message be sent the House of Representatives that pursuant to **S.J.R. 2,** A JOINT RESOLUTION INFORMING HIS

EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Wood for the Committee on Education:

S.B. 16, A BILL DIRECTING THE STATE BOARD OF EDUCATION TO RECOMMEND CHANGES IN THE PUBLIC SCHOOL SYSTEM, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate bill.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

JOINT SESSION

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable Dennis A. Wicker, is seated to the right of the Speaker.

The Sergeant-at-Arms is recognized and he announces the approach of the members of the Governor's Cabinet who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the

Chief Judge and the Judges of the Court of Appeals who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the members of the Council of State who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the Chief Justice and the Associate Justices of the Supreme Court who are seated in a body for the Joint Session.

The Speaker extends the courtesies of the gallery to Mrs. Carolyn Hunt, First Lady of North Carolina and Mrs. Alisa Wicker, wife of the Lieutenant Governor; and courtesies of the floor to the members of the Governor's Cabinet, the Council of State, the Chief Justice and the Associate Justices of the Supreme Court, and the Chief Judge and the Judges of the Court of Appeals.

The Speaker of the House relinquishes the gavel to the President of the Senate. The Joint Session is called to order by the President.

The Sergeant-at-Arms of the House announces the approach of the Governor. His Excellency enters, escorted by Senators Soles, Conder, Ballance, and Cochrane; and Representatives Daughtry, Black, Russell, Cummings, Thompson, and Blue.

The President recognizes Senator Soles, who presents his Excellency, James B. Hunt, Jr., Governor of North Carolina, to the Joint Assembly. (The full text of his address can be found in the Appendix.)

Upon completion of his address, the Governor, joined by the Escort Committee, leaves the Hall of the House.

On motion of Senator Basnight, the Joint Session is dissolved and the Senate stands adjourned.

On motion of the Chair, the House recesses at 12:34 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

H.B. 39, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXTENSION OF TIME FOR THE CITY OF RAEFORD TO FILE AN APPLICATION FOR A SALES TAX REFUND, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar for February 14.

CALENDAR

Action is taken on the following:

House Committee Substitute for **S.B. 3,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO, passes its second reading, by the following vote, and there being no objection is read a third time.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Sutton, Thompson, Tolson, Wainwright, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 97.

Voting in the negative: Representatives Adams, Barnes, Beall, Blue, Braswell, Culpepper, Easterling, Gamble, Hackney, Hensley, Hightower, Hunt, H. Hunter, R. Hunter, Luebke, McLaughlin, Michaux, Shaw, and Wright - 19.

Excused absence: Representative Tallent.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Berry, Black, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Howard, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Sutton, Thompson, Tolson, Wainwright, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 95.

Voting in the negative: Representatives Adams, Barnes, Beall, Blue, Braswell, Culpepper, Easterling, Gamble, Hackney, Hensley, Hightower, Hunt, H. Hunter, R. Hunter, Luebke, McLaughlin, Michaux, Shaw, and Wright - 19.

Excused absence: Representative Tallent.

H.B. 2, A BILL TO BE ENTITLED AN ACT TO REDUCE INCOME TAXES FOR THE WORKING PEOPLE OF NORTH CAROLINA BY INCREASING THE PERSONAL EXEMPTION DEDUCTION BY FIVE HUNDRED DOLLARS AND BY ALLOWING A TAX CREDIT OF FIFTY DOLLARS PER DEPENDENT CHILD.

On motion of Representative Arnold, Committee Amendment No. 1 is adopted by electronic vote (110-0).

Representative G. Miller offers Amendment No. 2 which fails of adoption by electronic vote (50-65).

Representative G. Miller offers an amendment which is ruled out of order by the Speaker pursuant to Rule 43.

Representative Luebke moves that Rule 31(d) be suspended in order that he might offer an amendment which changes the title of the bill.

Representative Luebke calls for the "ayes" and "noes". The Speaker orders the vote spread upon the Journal.

The motion to suspend the rule fails by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Crawford, Culpepper, Cunningham, Earle, Easterling, Fox, Gamble, Hackney, Hensley, Hightower, Hill, H. Hunter, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, Wright, and Yongue - 48.

Voting in the negative: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Howard, Hunt, R. Hunter, Hurley, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Weatherly, C. Wilson, G. Wilson, and Wood - 67.

Excused absence: Representative Tallent.

Representative Hensley moves that Rule 31(d) be suspended in order that he might offer an amendment which changes the title of the bill.

Representative Hensley requests that the vote be spread upon the Journal and it is so ordered by the Speaker.

The motion to suspend the rules fails by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, W. Brown, Crawford, Culpepper, Cunningham, Earle, Easterling, Fox, Gamble, Hackney, Hensley, Hightower, H. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Nye, Oldham, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner,

Wilkins, Womble, Wright, and Yongue - 46.

Voting in the negative: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Hunt, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Weatherly, C. Wilson, G. Wilson, and Wood - 66.

Excused absence: Representative Tallent.

The bill, as amended, passes its second reading by electronic vote (113-0).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

Representative Redwine inquires of the Chair if, pursuant to Rule 38, the bill should be referred to the Committee on Appropriations. The Speaker states that it should not.

On motion of Representative Morgan, seconded by Representative Bowie, the House adjourns at 3:28 p. m. to reconvene Monday, February 13, at 8:00 p.m.

ELEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 13, 1995

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Nye.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and

Operations of the House, reports the Journal of February 9 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (109-0).

Leaves of absence are granted Representatives Gamble, Hunt, and Wainwright for today.

SEATING OF NEW MEMBER

Representative Daughtry is recognized and introduces Representative-elect Cynthia Watson who was elected to represent the 10th District on February 7, 1995.

The Speaker appoints Representatives Daughtry, Russell, and Hayes to escort Representative-elect Watson to the Well of the House where the oath of office is administered by Associate Justice I. Beverly Lake, Jr., Supreme Court of North Carolina.

OATH FOR MEMBER OF THE HOUSE OF REPRESENTATIVES 1995 SESSION

"I, CYNTHIA B. WATSON, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely swear (or affirm) that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do swear (or affirm) that I will faithfully discharge the duties of the office of a Member of the 1995 House of Representatives according to the best of my skill and ability, according to law; so help me God."

The Speaker orders that a Special Message be sent to the Senate informing them of the seating of Representative Watson.

ADDENDA TO COMMITTEE ASSIGNMENTS
February 13, 1995

The Speaker makes the following committee assignments:

AGRICULTURE: Add Representative Watson, remove Representative W. Brown.

APPROPRIATIONS:

Subcommittee on Education, add Representative Hiatt, remove Representative Miner.

Subcommittee on Human Resources, add Representative Watson.

Subcommittee on Transportation, add Representative Miner, remove Representative Hiatt.

EDUCATION:

Subcommittee on Community Colleges and Universities, add Representatives McLaughlin and Watson, remove Representative Justus.

Subcommittee on Preschool, Elementary and Secondary Education, remove Representative McLaughlin.

FINANCIAL INSTITUTIONS: Add Representatives W. Brown and McCombs.

HEALTH AND ENVIRONMENT: Add Representative Watson, remove Representatives J. Brown and Blue.

JUDICIARY I: Add Representative Blue.

TRANSPORTATION:

Subcommittee on Highways, add Representatives J. Brown and Watson.

WAYS AND MEANS: Add Representative Justus.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Beall and Ramsey:

H.B. 163, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS TO THE NORTH CAROLINA INTERNATIONAL FOLK FESTIVAL, INC., FOR FOLKMOOT USA, is referred to the Committee on Appropriations.

By Representatives Gardner, Cansler, and Nichols:

H.B. 164, A BILL TO BE ENTITLED AN ACT TO ENHANCE CHILD SUPPORT COLLECTION THROUGH EMPLOYER REPORTING OF NEW HIRES, HEALTH INSURANCE PREMIUM WITHHOLDING, AND OTHER INITIATIVES FOR COLLECTING OVERDUE CHILD SUPPORT, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

By Representatives J. Brown, Aldridge, Arnold, Barnes, Berry, Buchanan, Carpenter, Culp, Davis, Fox, Hightower, Hill, Holmes, Locke, Mercer, Mitchell, Owens, Robinson, Rogers, Shubert, Tolson, Wainwright, Weatherly, and G. Wilson:

H.B. 165, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE OF FOREST FIRE AIRCRAFT AND TRACTOR PLOWS, is referred to the Committee on Agriculture and, if favorable, to the Committee on Appropriations.

By Representative Carpenter:

H.B. 166, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE OF ELECTION OF THE JACKSON COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government I.

By Representative Carpenter:

H.B. 167, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF MACON COUNTY TO PROVIDE ADEQUATE FUNDS, PERSONNEL AND EQUIPMENT TO THE SHERIFF OF MACON COUNTY FOR LAW ENFORCEMENT IN THE COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Gardner, Cansler, Kiser, Nichols, Russell, and Shubert:

H.B. 168, A BILL TO BE ENTITLED AN ACT TO ENHANCE CHILD

SUPPORT COLLECTION THROUGH DRIVER AND PROFESSIONAL LICENSE REVOCATION, REPORTING AND PUBLICATION OF NAMES OF PARENTS WHO ARE DELINQUENT IN SUPPORT, AND OTHER INITIATIVES FOR COLLECTING OVERDUE CHILD SUPPORT, is referred to the Committee on Judiciary II.

By Representatives Hill, Adams, Redwine, and Wright:

H.B. 169, A BILL TO BE ENTITLED AN ACT EXEMPTING COLUMBUS COUNTY HOSPITAL, INC., FROM CERTAIN RULES AND REGULATIONS OF THE LOCAL GOVERNMENT COMMISSION, is referred to the Committee on Local and Regional Government II.

By Representatives Justus, Baker, Barbee, Brawley, J. Brown, Cansler, Capps, Carpenter, Church, Culp, Dickson, Eddins, Edwards, Esposito, Gardner, Hayes, Hiatt, Hightower, Hill, Howard, H. Hunter, Hurley, Kiser, Lemmond, McComas, Mercer, Miner, Mitchell, Nichols, Pulley, Richardson, Robinson, Russell, Sexton, Sherrill, Shubert, Snowden, Thompson, Wainwright, Weatherly, Wilkins, G. Wilson, and Wood:

H.B. 170, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROVIDING THAT A DEFENDANT MAY CHOOSE IMPRISONMENT RATHER THAN PROBATION OR AN ALTERNATIVE PUNISHMENT AND TO AMEND THE CONSTITUTION TO PROVIDE THAT PROBATION, RESTITUTION, COMMUNITY SERVICE, WORK PROGRAMS, AND OTHER RESTRAINTS ON LIBERTY ARE PUNISHMENTS THAT MAY BE IMPOSED ON A PERSON CONVICTED OF A CRIMINAL OFFENSE, is referred to the Committee on Judiciary I.

By Representatives Gamble and Luebke:

H.B. 171, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE INCOME TAX ON BANKS TO FEDERAL INCOME TAX ON BANKS, is referred to the Committee on Financial Institutions.

By Representatives Redwine, Hill, McComas, Nye, and Wright:

H.B. 172, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A MARINE SCIENCES RESEARCH AND EDUCATION CENTER AT THE UNIVERSITY OF NORTH CAROLINA AT WILMINGTON, is referred to the Committee on Appropriations.

By Representatives H. Hunter and Rogers:

H.B. 173, A BILL TO BE ENTITLED AN ACT TO CREATE A SAFETY ZONE AROUND MERCHANTS MILLPOND STATE PARK BY PROHIBITING HUNTING IN THE VICINITY OF THE PARK, is referred to the Committee on Local and Regional Government II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 27,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE PRISON POPULATION CAP, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 52,** A BILL TO BE ENTITLED AN ACT TO CREATE THE STATE-OWNED SUBMERGED LANDS ADVISORY COMMITTEE AND TO REQUIRE THAT THE ADVISORY COMMITTEE MAKE ITS FINAL REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE MAY 1, 1995, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO REDUCE INCOME TAXES FOR THE WORKING PEOPLE OF NORTH CAROLINA BY INCREASING THE PERSONAL EXEMPTION DEDUCTION BY FIVE HUNDRED DOLLARS AND BY ALLOWING A TAX CREDIT OF FIFTY DOLLARS PER DEPENDENT CHILD.

Representative Gray offers Amendment No. 3 which is adopted by electronic vote (112-0).

Representative Luebke offers Amendment No. 4.

Representative Luebke calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 4 fails of adoption by the following vote:

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Hackney, Hensley, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Warner, Wilkins, Womble, Wright, and Yongue - 47.

Voting in the negative: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 69.

Excused absences: Representatives Gamble, Hunt, and Wainwright - 3.

The bill, as amended, passes its third reading, by electronic vote (116-0), and is ordered engrossed and sent to the Senate by Special Message.

INTRODUCTION OF PAGES

Pages for the week of February 13-17 are introduced to the membership. They are: Tracey Bleau of Craven; Andrew Davis of Wake; Kateri DuBay of Wake; Alex Edmisten of Henderson; Jonathan Ellis of Wake; Brian Endreson of Iredell; Dana Fleming of Forsyth; Brooke Frady of Iredell; Raushan Gross of Wake; Will Henderson of Wake; Joshua Hopkinson of Iredell; Tarras Joines of Alleghany; Alia Mansour of Wake; Amanda Price of Ashe; Jonathan Sellers of Columbus; Devon Umstead of Iredell; Ray Wiles, III of Iredell; Bryce Worth of Wake.

On motion of Representative Morgan, seconded by Representative Watson, the House adjourns at 8:50 p.m. to reconvene February 14 at 1:30 p.m.

TWELFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 14, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Capps.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 13 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (99-0).

Leaves of absence are granted Representatives Hunt and Wainwright for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 121, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HUNTING OF DEER WITH MUZZLE-LOADING RIFLES OF ANY CALIBER DURING MUZZLE-LOADING DEER SEASON IN SCOTLAND COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Berry and Howard for the Committee on Welfare Reform and Human Resources:

H.B. 16, A BILL TO BE ENTITLED AN ACT TO DEVELOP STATEWIDE FOOD STAMP ELECTRONIC BENEFITS TRANSFER, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar for February 16.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 113, A BILL TO BE ENTITLED AN ACT TO REGULATE PUBLIC ACCESS TO AND USE OF CRIMINAL JUSTICE RECORDS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Representative Daughtry submits the following bill with a favorable report for introduction:

A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF SUPERIOR COURT JUDGES BY JUDICIAL DISTRICT.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 195** and placed on the Calendar for February 15 for its first reading.

Representative Michaux inquires of the Chair how a bill can come to the floor and be placed on the Calendar without being introduced. The Speaker recognizes Representative Morgan who explains that pursuant to Rule 32(a), and historical precedence, legislation can be introduced from committee. Representative Morgan further explains that after being reported favorably from committee, the bill will be filed in the Principal Clerk's Office, assigned a number and placed on the following day's Calendar for first reading.

Representative Michaux further inquires of the Chair if Representative Morgan's interpretation of the Rule is correct. The Speaker states that it is correct.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Black, Cunningham, Luebke, G. Miller, Ramsey, Redwine, Sutton, and Wilkins:

H.B. 174, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGISLATIVE CONFIRMATION OF CERTAIN EXECUTIVE APPOINTMENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cansler, Aldridge, Baker, Brawley, J. Brown, Buchanan, Capps, Carpenter, Cocklereece, Culp, Davis, Edwards, Hayes, Ives, Linney, McComas, K. Miller, Mitchell, Nichols, Rayfield, Reynolds, Russell, Sexton, Sharpe, and Shubert:

H.B. 175, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RULES ADOPTED BY STATE AGENCIES DO NOT BECOME EFFECTIVE UNLESS APPROVED BY THE GENERAL ASSEMBLY, is referred to the Committee on Judiciary I.

By Representatives Barnes, Gardner, Michaux, Redwine, and Sutton:

H.B. 176, A BILL TO BE ENTITLED AN ACT TO CREATE A NEW OFFENSE CLASS AND PUNISHMENT ROW FOR MISDEMEANOR ASSAULTS, is referred to the Committee on Judiciary II.

By Representatives Wilkins, Crawford, Fox, H. Hunter, and Locke:

H.B. 177, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ERADICATE HYDRILLA IN LAKE GASTON, is referred to the Committee on Appropriations.

By Representative Cummings:

H.B. 178, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SCOTLAND COUNTY AND THE CITIES LOCATED IN THAT COUNTY MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING, is referred to the Committee on Local and Regional Government II.

By Representatives Lee, Alexander, Beall, W. Brown, Church, Crawford, Culpepper, Gamble, Hightower, Hill, Hunt, R. Hunter, Hurley, Luebke, Mercer, Michaux, Owens, Ramsey, Sutton, and Tolson:

H.B. 179, A BILL TO BE ENTITLED AN ACT TO CREDIT THE INTEREST AND OTHER INVESTMENT INCOME EARNED BY THE SAVINGS RESERVE ACCOUNT AND THE REPAIRS AND RENOVATIONS RESERVE ACCOUNT TO THOSE RESPECTIVE ACCOUNTS INSTEAD OF TO THE GENERAL FUND, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 5**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE COMPOSITION OF THE STATE BOARD OF EDUCATION AND MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE STATE BOARD OF EDUCATION, AND TO MAKE CORRESPONDING STATUTORY CHANGES, is read the first time and referred to the Committee on Judiciary I.

S.B. 8, A BILL TO BE ENTITLED AN ACT TO REPEAL THE INTANGIBLES TAX AND TO REIMBURSE LOCAL GOVERNMENTS FOR THEIR RESULTING REVENUE LOSS, is read the first time and referred to the Committee on Finance.

S.B. 163, A BILL TO BE ENTITLED AN ACT TO APPOINT MEMBERS OF THE WHITEVILLE CITY BOARD OF EDUCATION, is read the first time and referred to the Committee on Local and Regional Government II.

CALENDAR

Action is taken on the following:

H.B. 39, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXTENSION OF TIME FOR THE CITY OF RAEFORD TO FILE AN APPLICATION FOR A SALES TAX REFUND, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 16,** A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN FOR THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC INSTRUCTION.

Representative Barnes offers Amendment No. 1.

Representative Barnes calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 1 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Hackney, Hensley, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Warner, Wilkins, Womble, Wright, and Yongue - 50.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Grady, Gray, Hayes, Hiatt, Holmes, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 64.

Excused absences: Representatives Hunt and Wainwright - 2.

Representative Hightower offers Amendment No. 2.

Representative Hightower calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 2 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Warner, Wilkins, Womble, Wright, and Yongue - 49.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady,

Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 66.

Excused absences: Representatives Hunt and Wainwright - 2.

Representative Rogers offers Amendment No. 3.

Representative Davis requests and is granted permission to be recorded as voting "no" on Amendment No. 2. The adjusted vote total is (49-67).

Representative Cunningham calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 3 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Ives, Lee, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Warner, Wilkins, Womble, Wright, and Yongue - 50.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Justus, Kiser, Lemmond, Linney, Locke, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 65.

Excused absences: Representatives Hunt and Wainwright - 2.

Representative Hensley offers Amendment No. 4.

Representative Hensley calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 4 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barbee, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Gamble, Hackney, Hensley, Hightower, Hill, H. Hunter, R. Hunter, Lee, Luebke, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Ramsey, Redwine, Richardson, Rogers, Sutton, Tolson, Warner, Wilkins, Womble, Wright, and Yongue - 43.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Berry, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Watson, Weatherly, C. Wilson, and G. Wilson - 68.

Excused absences: Representatives Hunt and Wainwright - 2.

Representative Miner calls the previous question on the passage of the bill and the call is sustained by electronic vote (81-35).

The bill passes its second reading by electronic vote (95-20).

Representative Barnes objects to the third reading. The bill remains on the Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives Arnold, Gray and C. Wilson for the Committee on Finance:

H.B. 80, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SPECIAL USE TAX ON CONSTRUCTION EQUIPMENT BROUGHT INTO THE STATE, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar for February 16.

H.B. 33, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FEE SCHEDULE FOR REAL ESTATE LICENSE EXAMINATIONS AND RENEWALS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
February 14, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 3,** (House Committee Substitute), A BILL TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO, and requests conferees. The President Pro Tempore appoints:

Senator Cooper, Chairman
Senator Cochrane
Senator Martin of Guilford

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

On motion of Representative McMahan, seconded by Representative Esposito, the House adjourns at 3:00 p.m. to reconvene February 15 at 1:30 p.m.

THIRTEENTH DAY

HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Reverend Ken Bradshaw, St. Paul's Episcopal Church, Smithfield, North Carolina.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 14 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (95-0).

Leaves of absence are granted Representatives Bowen, Hunt, R. Hunter, Sutton, and Wainwright for today.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 70, AN ACT TO PROVIDE THAT THE GOVERNING BODY OF A TAXING UNIT MAY DELAY THE ACCRUAL OF INTEREST ON CERTAIN UNPAID PROPERTY TAXES. (CHAPTER 1)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 67, A BILL TO BE ENTITLED AN ACT TO CREATE THE STATE-OWNED SUBMERGED LANDS ADVISORY COMMITTEE AND TO REQUIRE THAT THE ADVISORY COMMITTEE MAKE ITS FINAL REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE MAY 1, 1995, with a favorable report as to committee substitute bill, unfavorable as to

original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 114, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MERGER OF THE ALAMANCE COUNTY SCHOOLS AND THE BURLINGTON CITY SCHOOLS MAY BECOME EFFECTIVE ONLY IF APPROVED BY THE VOTERS OF ALAMANCE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Miner for the Committee on Transportation:

H.B. 122, A BILL TO BE ENTITLED AN ACT TO ALLOW SPECIAL MOBILE EQUIPMENT DEALERS TO USE TRANSPORTER PLATES ON THE EQUIPMENT IN CERTAIN CIRCUMSTANCES AND TO PROVIDE A HIGHWAY USE TAX EXEMPTION AND A REDUCED TITLE FEE FOR THE TRANSFER OF A WRECKED MOTOR VEHICLE FROM AN INSURANCE COMPANY TO THE PERSON WHO OWNED THE VEHICLE WHEN IT WAS WRECKED, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House.

H.R. 126, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report as to committee substitute resolution, unfavorable as to original resolution and with recommendation that it be adopted.

Pursuant to Rule 36(a), the committee substitute resolution is placed on the Calendar.

CONFEREES APPOINTED

The Speaker appoints Representatives Daughtry, Nichols, and Black to serve as Conferees on House Committee Substitute for **S.B. 3,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO, and the Senate is so notified by Special Message.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Black, Cunningham, Preston, Robinson, and Warner:

H.B. 180, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE ALTERNATIVE SCHOOLS COMMITTEE OF THE LEGISLATIVE RESEARCH COMMISSION, is referred to the Committee on Education.

By Representatives Robinson, Buchanan, and Thompson:

H.B. 181, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR THE CALDWELL COUNTY SCHOOLS, is referred to the Committee on Local and Regional Government I.

By Representatives Culpepper, Culp, and Nye (Co-Sponsors):

H.B. 182, A BILL TO BE ENTITLED AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING AN EMERGENCY WITHOUT COMPENSATION, is referred to the Committee on Judiciary I.

By Representatives Culpepper, Culp, and Nye (Co-Sponsors):

H.B. 183, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT UNPAID VOLUNTEER MEDICAL DIRECTORS FOR EMERGENCY MEDICAL SERVICES (EMS) AGENCIES ARE COVERED BY THE GOOD SAMARITAN STATUTE, is referred to the Committee on Judiciary I.

By Representatives Culpepper, Culp, and Nye (Co-Sponsors):

H.B. 184, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF SELF-INSURANCE TRUST FUNDS TO PROVIDE PROFESSIONAL LIABILITY INSURANCE COVERAGE FOR STATE EMPLOYEES AND TO APPROPRIATE FUNDS TO A RESERVE FUND TO PROVIDE THE INITIAL FUNDING IF THE TRUST IS CREATED, is referred to the Committee on State Government and, if favorable, to the Committee on Appropriations.

By Representatives Culpepper, Culp, and Nye (Co-Sponsors); and Ives:

H.B. 185, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO DEFEND COUNTY CHILD PROTECTIVE SERVICES SOCIAL WORKERS, ADULT PROTECTIVE SERVICES SOCIAL WORKERS, AND FOSTER CARE SOCIAL WORKERS FROM LIABILITY ARISING FROM THE PERFORMANCE OF THEIR OFFICIAL DUTIES, is referred to the Committee on Judiciary I.

By Representatives Culpepper, Culp, and Nye (Co-Sponsors); and Ives:

H.B. 186, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PROVIDING FOR THE DEFENSE OF STATE EMPLOYEES FROM TORT CLAIMS ARISING IN THE SCOPE OR COURSE OF THEIR EMPLOYMENT, is referred to the Committee on Judiciary I.

By Representatives Culpepper, Culp, and Nye (Co-Sponsors); and Ives:

H.B. 187, A BILL TO BE ENTITLED AN ACT TO CREATE THE STATE AND LOCAL GOVERNMENT TORT LIABILITY AND IMMUNITY STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sutton and Yongue:

H.B. 188, A BILL TO BE ENTITLED AN ACT TO EXTEND TO THE CITY OF LUMBERTON PROVISIONS OF A LOCAL ACT WHICH PROVIDE THAT SERVICE IN HOUSING CODE CASES IS SUFFICIENT WHEN A REGULAR LETTER IS SENT OUT ALONG WITH A REGISTERED OR CERTIFIED LETTER, AND THE REGULAR LETTER IS NOT RETURNED, BUT THE REGISTERED OR CERTIFIED MAIL IS UNCLAIMED OR REFUSED, is referred to the Committee on Local and

Regional Government II.

By Representatives K. Miller, Aldridge, Allred, Baker, Brawley, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Davis, Decker, McComas, Nichols, Pate, Sexton, Sherrill, and G. Wilson:

H.B. 189, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON MAY CARRY A CONCEALED WEAPON IF THE PERSON HAS A CONCEALED WEAPON LICENSE, TO CREATE A CONCEALED WEAPON LICENSE AND LICENSING PROCEDURE, AND TO MAKE CONFORMING STATUTORY CHANGES, is referred to the Committee on Judiciary II.

By Representatives K. Miller, Capps, Davis, and Decker:

H.B. 190, A BILL TO BE ENTITLED AN ACT TO ALLOW A REFUNDABLE INCOME TAX CREDIT TO PARENTS WHO EDUCATE THEIR CHILDREN OTHER THAN IN THE PUBLIC SCHOOLS, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Redwine, Adams, Aldridge, Alexander, Allred, Arnold, Berry, Black, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Cansler, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Ellis, Esposito, Fitch, Fox, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, McComas, McCrary, McLaughlin, McMahan, Mercer, Miner, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Richardson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Snowden, Tolson, Wilkins, G. Wilson, Wright, and Yongue:

H.B. 191, A BILL TO BE ENTITLED AN ACT TO REQUIRE A FISCAL NOTE FOR ALL PROPOSED RULES THAT HAVE A SUBSTANTIAL ECONOMIC IMPACT AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS REQUIREMENT, is referred to the Committee on Judiciary I.

By Representatives Redwine, Aldridge, Alexander, Allred, Arnold, Baker, Berry, Black, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Easterling, Ellis, Esposito, Fitch, Fox, Gray, Hayes, Hensley, Hightower, Hill, Holmes, R. Hunter,

Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McComas, McCrary, McMahan, Mercer, Miner, Morgan, Nichols, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Richardson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Snowden, Tolson, Wilkins, G. Wilson, Wright, and Yongue:

H.B. 192, A BILL TO BE ENTITLED AN ACT TO CREATE THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE AND TO PROVIDE THAT NO ADMINISTRATIVE RULE SHALL BECOME EFFECTIVE UNTIL APPROVED BY THE GENERAL ASSEMBLY, is referred to the Committee on Judiciary I.

By Representatives Redwine, Buchanan, Holmes, Ives, and Sexton:

H.B. 193, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE AUTHORITY OF THE RULES REVIEW COMMISSION TO DETERMINE THE NECESSITY OF A PROPOSED RULE, is referred to the Committee on Judiciary I.

By Representatives Redwine, Buchanan, Holmes, Ives, and Sexton:

H.B. 194, A BILL TO BE ENTITLED AN ACT TO REQUIRE AGENCIES TO BEGIN THE PROCESS OF ADOPTING A PERMANENT RULE BY PUBLISHING A NOTICE OF RULE-MAKING PROCEEDINGS RATHER THAN BY PUBLISHING THE PROPOSED TEXT OF A RULE CHANGE, is referred to the Committee on Judiciary I.

By House Committee on Judiciary I:

H.B. 195, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF SUPERIOR COURT JUDGES BY JUDICIAL DISTRICT, is placed on the Calendar pursuant to Rule 36(a).

By Representatives Thompson, Beall, Buchanan, Easterling, and Justus:

H.B. 196, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PERMANENT, INDEPENDENT CONSUMER PROTECTION STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bowen and Nye:

H.B. 197, A BILL TO BE ENTITLED AN ACT TO PROVIDE A

FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF ROSEBORO, is referred to the Committee on Local and Regional Government I.

By Representatives Bowen, Hill, K. Miller, and Pulley:

H.B. 198, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARGES RELATED TO TOBACCO WAREHOUSES, is referred to the Committee on Finance.

By Representatives Pate, Aldridge, Beall, J. Brown, Kiser, K. Miller, Rayfield, Russell, Snowden, Weatherly, and G. Wilson:

H.B. 199, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY FOR THE NONBETTERMENT RELOCATION OF SANITARY DISTRICT UTILITIES, is referred to the Committee on Transportation.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 121, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HUNTING OF DEER WITH MUZZLE-LOADING RIFLES OF ANY CALIBER DURING MUZZLE-LOADING DEER SEASON IN SCOTLAND COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

House Committee Substitute for **S.B. 16,** A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN FOR THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC INSTRUCTION.

Representative Barnes offers Amendment No. 5.

Representative Barnes calls the previous question on the amendment.

Representatives Barnes withdraws the call for the previous question.

Representative Yongue calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 5 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, H. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Ramsey, Redwine, Richardson, Rogers, Shaw, Tolson, Warner, Wilkins, Womble, Wright, and Yongue - 46.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 67.

Excused absences: Representatives, Bowen, Hunt, R. Hunter, Sutton, and Wainwright - 5.

Representative Luebke offers Amendment No. 6.

Representatives Luebke calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 6 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Hackney, Hensley, Hightower, Hill, H. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Tolson, Warner, Wilkins, Womble, Wright, and Yongue - 46.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker,

Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 66.

Excused absences: Representatives Bowen, Hunt, R. Hunter, Sutton, and Wainwright - 5.

Representative Hightower offers Amendment No. 7.

Representative Daughtry inquires of the Chair if Amendment No. 7 is in order as it was offered on the second reading. The Speaker states that according to Rule 14, the amendment can be offered at a different point in the proceedings.

Representative Hightower calls for the "ayes and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 7 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, H. Hunter, Hurley, Lee, Locke, Luebke, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Tolson, Warner, Wilkins, Womble, Wright, and Yongue - 45.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 64.

Excused absences: Representatives Bowen, Hunt, R. Hunter, Sutton, and Wainwright - 5.

The bill passes its third reading, by electronic vote (87-26), and is ordered sent to the Senate for concurrence in House committee substitute.

Representative Hayes requests and is granted permission to be recorded as voting "aye" on the third reading. The adjusted vote total is (88-26).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 113, A BILL TO BE ENTITLED AN ACT TO REGULATE PUBLIC ACCESS TO AND USE OF CRIMINAL JUSTICE RECORDS.

Representative Hackney requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Morgan, seconded by Representative Berry, the House adjourns at 2:30 p.m. to reconvene February 16 at 1:30 p.m.

FOURTEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 16, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Eddins.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 15 has been examined and found correct. Upon his motion, the Journal is approved as

written by electronic vote (95-0).

Leaves of absence are granted Representatives Fox, Hunt, R. Hunter, Robinson, Sutton, and Wainwright for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

Committee Substitute for **S.B. 13,** A BILL TO BE ENTITLED AN ACT TO FURTHER REDUCE EMPLOYERS' UNEMPLOYMENT INSURANCE TAXES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 82, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE GENERAL ASSEMBLY AND CHAIRS OF COUNTY BOARDS OF COMMISSIONERS TO ADMINISTER OATHS OF OFFICE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 131, A BILL TO BE ENTITLED AN ACT TO APPOINT MEMBERS OF THE WHITEVILLE CITY BOARD OF EDUCATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Wood for the Committee on Education:

H.B. 71, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT

FIRE FIGHTERS AND EMERGENCY MEDICAL SERVICE PERSONNEL MAY POSSESS OR CARRY WEAPONS ON SCHOOL GROUNDS WHEN DISCHARGING THEIR OFFICIAL DUTIES, with a favorable report, as amended, and having received a unanimous vote in committee, is placed on the Consent Calendar for February 21.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Cummings, Baker, Brawley, Cansler, Clary, Cocklereece, Davis, Ellis, Gardner, Grady, Gray, Hayes, Hiatt, Justus, Linney, McComas, McMahan, Mitchell, Nichols, Pate, Reynolds, Russell, Sexton, Shubert, Snowden, Watson, Weatherly, and C. Wilson:

H.B. 200, A BILL TO BE ENTITLED AN ACT TO REQUIRE IDENTIFICATION OF VOTERS AND TO PROTECT AGAINST DOUBLE VOTING, is referred to the Committee on Judiciary II.

By Representatives Cummings, Allred, Barbee, Brawley, Davis, Grady, Hayes, Lemmond, McComas, McMahan, Nichols, Rayfield, Russell, Snowden, and Tallent:

H.B. 201, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ELECTIONEERING WITHIN TWO HUNDRED FEET OF THE POLLING PLACE, is referred to the Committee on Judiciary II.

By Representatives Cummings, Allred, Barbee, Clary, Cocklereece, Davis, Ellis, Gardner, Grady, Gray, Hayes, Hiatt, Justus, Lemmond, McComas, McMahan, Mitchell, Nichols, Pate, Rayfield, Reynolds, Russell, Sharpe, Snowden, Tallent, Weatherly, C. Wilson, and Wood:

H.B. 202, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE OBSERVANCE OF A MOMENT OF SILENCE IN ALL SCHOOL UNITS AND TO ENSURE FREEDOM OF RELIGION IN THE PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Cummings, Allred, Cansler, Clary, Cocklereece, Davis, Ellis, Grady, Hayes, Linney, K. Miller, Mitchell, Neely, Pate, Reynolds, Sexton, Shubert, Snowden, Watson, Weatherly, G. Wilson, and Wood:

H.B. 203, A BILL TO BE ENTITLED AN ACT TO ELIMINATE STRAIGHT-TICKET VOTING, BY WHICH A VOTER CAN MARK ONE CIRCLE TO CAST VOTES FOR ALL THE CANDIDATES OF A PARTY, is referred to the Committee on Judiciary II.

By Representative Dickson:

H.B. 204, A BILL TO BE ENTITLED AN ACT TO ENSURE REPRESENTATION OF BOTH FOR-PROFIT AND NONPROFIT INSTITUTIONS ON THE STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS, is referred to the Committee on State Government.

By Representatives Church, Buchanan, R. Hunter, and Thompson:

H.B. 205, A BILL TO BE ENTITLED AN ACT TO ADD BURKE, CALDWELL, AND MCDOWELL COUNTIES TO THOSE COUNTIES REQUIRING THAT ALL VESSELS CARRY PERSONAL FLOTATION DEVICES, is referred to the Committee on Local and Regional Government II.

By Representatives Justus and Ives:

H.B. 206, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF FLAT ROCK, SUBJECT TO A REFERENDUM, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives Bowie, Adams, Aldridge, Allred, Arnold, Berry, W. Brown, Capps, Clary, Cocklereece, Crawford, Creech, Culp, Davis, Decker, Dickson, Edwards, Ellis, Gardner, Ives, Kiser, Lemmond, Linney, McComas, McMahan, K. Miller, Neely, Nichols, Pulley, Rayfield, Reynolds, Russell, Sexton, Sharpe, Shaw, Snowden, Warner, Wilkins, C. Wilson, G. Wilson, Wood, and Wright:

H.B. 207, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY OFFENSE TO SOLICIT A CHILD BY MEANS OF A COMPUTER TO COMMIT AN UNLAWFUL SEX ACT, is referred to the Committee on Judiciary II.

By Representatives Beall and Ramsey:

H.B. 208, A BILL TO BE ENTITLED AN ACT TO ALLOW JACKSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representative Morgan:

H.J.R. 209, A JOINT RESOLUTION INVITING MISS HEATHER WHITESTONE, MISS AMERICA 1995, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Arnold, Aldridge, Allred, Baker, Bowie, Brawley, Buchanan, Cansler, Capps, Clary, Cocklereece, Creech, Davis, Decker, Dickson, Eddins, Esposito, Gray, Hayes, Ives, Justus, Kiser, Linney, McComas, McMahan, K. Miller, Miner, Morgan, Nichols, Pulley, Rayfield, Reynolds, Russell, Sexton, Sharpe, Shubert, Snowden, Weatherly, C. Wilson, and Wood:

H.B. 210, A BILL TO BE ENTITLED AN ACT TO PHASE OUT TEACHER TENURE, is referred to the Committee on Education.

By Representatives Adams, Bowie, Boyd-McIntyre, Cocklereece, Cunningham, Fitch, Sharpe, Shaw, Womble, Wood, and Wright:

H.B. 211, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO AUTHORIZE THE CITY COUNCIL TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, is referred to the Committee on Local and Regional Government II.

By Representatives Sharpe, Adams, Bowie, Boyd-McIntyre, Cocklereece, Culp, Decker, and Wood:

H.B. 212, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO USE THE SINGLE-PRIME CONTRACT SYSTEM FOR THE EXPANSION OF SEWAGE TREATMENT FACILITIES, is referred to the Committee on Local and Regional Government I.

By Representatives Bowie, Grady, McAllister, McLaughlin, Preston, and

Robinson:

H.B. 213, A BILL TO BE ENTITLED AN ACT CONCERNING THE COLLECTION OF OVERDUE TRUCK PENALTIES AND ASSESSED TAXES AND THE CONSOLIDATION OF THE VARIOUS PROVISIONS CONCERNING OVERWEIGHT VEHICLES, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 16, A BILL TO BE ENTITLED AN ACT TO DEVELOP STATEWIDE FOOD STAMP ELECTRONIC BENEFITS TRANSFER, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (111-0), and is ordered sent to the Senate.

H.B. 80, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SPECIAL USE TAX ON CONSTRUCTION EQUIPMENT BROUGHT INTO THE STATE, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (111-0), and is ordered sent to the Senate.

On motion of Representative Morgan, seconded by Representative Holmes, the House adjourns at 1:52 p.m. to reconvene Monday, February 20, 1995, at 8:00 p.m.

FIFTEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 20, 1995

The House meets at 8:00 p.m. pursuant to adjournment and is called to

order by the Speaker.

The following prayer is offered by the Reverend William Mills, who is appointed House Chaplain by the Speaker.

"Our Heavenly Father, we pause to acknowledge our dependence upon Thee and to recognize Thy presence in this place. For Thou art a powerful, great, and life-changing God. We confess our sins before Thee and seek Thy forgiveness through Christ our savior. Thank You for safe travel to and from our homes, and hold in tender care the families we have left behind. Bless and guide us as we come to our tasks this week. On every deliberation give us the gift of cutting through all that is superfluous and coming to the reality of truth. May fairness and compassion be wed together in all we do and bring us to our pillows each night without the pains of regret. Through Christ our Lord, Amen".

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 16 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (109-0).

A leave of absence is granted Representative Hackney for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

February 14, 1995

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 126-2, I hereby appoint Judy M. Stephenson as a member of the North Carolina State Personnel Commission and submit her name for confirmation by the North Carolina General Assembly. Ms. Stephenson will replace Jeffrey Hunt who resigned. I ask that she be confirmed for the remainder of his unexpired term until June 30, 1995 and for a full term to begin July 1, 1995 and to expire June 30, 2001.

Biographical information on Ms. Stephenson is enclosed. Please feel free to contact her directly should you need any additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

The Speaker refers the letter to the Committee on State Government.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Tolson, Fitch, and Mercer:

H.B. 214, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF TARBORO, is referred to the Committee on Local and Regional Government I.

By Representative Fitch:

H.B. 215, A BILL TO BE ENTITLED AN ACT TO CREATE THE STUDY COMMISSION ON THE STATE PERSONNEL SYSTEM AND TO APPROPRIATE FUNDS TO THE STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Braswell, Cummings, Cunningham, Rogers, and Wright:

H.B. 216, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE

BOARD OF GOVERNORS, THE STATE BOARD OF EDUCATION, THE DEPARTMENT OF PUBLIC INSTRUCTION, AND THE TEACHING FELLOWS COMMISSION TO STUDY HOW TO INCREASE THE NUMBER OF MINORITY TEACHERS IN PUBLIC SCHOOLS AND TO STUDY THE USE OF SCHOOL FACILITIES FOR COMMUNITY-BASED ORGANIZATION ACTIVITIES, is referred to the Committee on Education.

By Representatives Braswell, Cummings, Cunningham, Rogers, and Wright:

H.B. 217, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STATUS OF MINORITY MALES STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Dickson:

H.B. 218, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES SHALL USE A PORTION OF THE FUNDS APPROPRIATED TO IT FOR 1995-97 FOR A PARTICULAR PURPOSE, is referred to the Committee on Appropriations.

By Representative Dickson:

H.B. 219, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CENTRAL CANCER REGISTRY, is referred to the Committee on Appropriations.

By Representative G. Wilson, Aldridge, Allred, Arnold, Baker, Berry, Black, Brawley, J. Brown, Buchanan, Cansler, Carpenter, Cocklereece, Crawford, Creech, Culp, Cummings, Davis, Dickson, Dockham, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, H. Hunter, Ives, Justus, Kiser, Linney, McComas, McCombs, McMahan, Miner, Mitchell, Nichols, Nye, Owens, Pate, Preston, Pulley, Reynolds, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Thompson, Warner, Watson, Weatherly, C. Wilson, and Wood:

H.B. 220, A BILL TO BE ENTITLED AN ACT REQUIRING JUST COMPENSATION FOR TAKING OF OUTDOOR ADVERTISING, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Judiciary II.

By Representative G. Miller:

H.B. 221, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BOND REQUIREMENTS FOR PUBLIC UTILITIES PROVIDING WATER OR SEWER SERVICES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Judiciary I.

By Representative G. Miller:

H.B. 222, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION TO G.S. 120-70.2 REGARDING FILLING OF VACANCIES ON THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gray, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Berry, Black, Blue, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Esposito, Fox, Grady, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McCrary, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Tolson, Wainwright, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, and Yongue:

H.B. 223, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE EXCISE TAX ON SOFT DRINKS OVER FOUR YEARS, is referred to the Committee on Finance.

By Representatives Gray, Barnes, Black, Cummings, Esposito, Hill, Oldham, Preston, Rogers, Sexton, and Wainwright:

H.B. 224, A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF CLASS-SIZE WAIVERS IN THE K-3 GRADES, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations, Subcommittee on Education.

By Representatives Alexander, Black, Blue, Church, Culpepper, Cunningham, Dickson, Earle, Easterling, Fox, Hill, Hurley, Lee, Luebke, McCrary, McLaughlin, Michaux, G. Miller, Oldham, Redwine, Richardson, Rogers, Tolson, Wright, and Yongue:

H.B. 225, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP AN EDUCATIONAL PROGRAM FOR DIVORCING COUPLES WITH CHILDREN, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Appropriations - Subcommittee on Justice and Public Safety.

By Representatives Barnes and Hackney (Co-Sponsors); Bowie, Hackney, Justus, Luebke, and Owens:

H.J.R. 226, A JOINT RESOLUTION HONORING THE 1993-94 WOMEN'S BASKETBALL TEAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL FOR WINNING A NATIONAL CHAMPIONSHIP, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Esposito, Creech, Cummings, and Holmes:

H.B. 227, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Esposito, Creech, Cummings, and Holmes:

H.B. 228, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 6,** A BILL TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME, is read the first time and referred to the Committee on

Judiciary I.

S.B. 143, A BILL TO REPEAL THE RESTRICTIONS ON DEALINGS WITH SOUTH AFRICA NOW THAT THE POLICIES OF THAT COUNTRY HAVE CHANGED, is read the first time and referred to the Committee on Judiciary I.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
February 16, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 16,** A BILL DIRECTING THE STATE BOARD OF EDUCATION TO RECOMMEND CHANGES IN THE PUBLIC SCHOOL SYSTEM, which proposed to change the title, upon concurrence, to read **S.B. 16,** (House Committee Substitute), A BILL DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN FOR THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC INSTRUCTION and requests conferees. The President Pro Tempore appoints:

Senator Perdue, Chairman
Senator Winner
Senator Little

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Miner, Russell and Daughtry as conferees on the part of the House and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 114, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MERGER OF THE ALAMANCE COUNTY SCHOOLS AND THE BURLINGTON CITY SCHOOLS MAY BECOME EFFECTIVE ONLY IF APPROVED BY THE VOTERS OF ALAMANCE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 13,** A BILL TO BE ENTITLED AN ACT TO FURTHER REDUCE EMPLOYERS' UNEMPLOYMENT INSURANCE TAXES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Snowden, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absence: Representative Hackney.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 67,** A BILL TO BE ENTITLED AN ACT TO CREATE THE STATE-OWNED SUBMERGED LANDS ADVISORY COMMITTEE AND TO REQUIRE THAT THE ADVISORY COMMITTEE MAKE ITS FINAL REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE MAY 1, 1995, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (114-0), and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 195, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF SUPERIOR COURT JUDGES BY JUDICIAL DISTRICT.

Representative Michaux moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Representative Michaux calls for the "ayes" and "noes" and requests that the vote be spread upon the Journal. The Speaker so orders.

The motion to re-refer fails by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Hensley, Hunt, R. Hunter, Lee, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Womble, Wright, and Yongue - 42.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wood - 74.

Excused absence: Representative Hackney.

The bill passes its second reading by electronic vote (94 - 23).

Representative Michaux objects to the third reading. The bill remains on the calendar.

INTRODUCTION OF PAGES

Pages for the week of February 20-24 are introduced to the membership. They are: Leslie Anderson of Robeson; Wheatly Aycock of Wake; Kristen Boney of New Hanover; Benjamin Boyles of Wake; Tiffany Burke of Wake; Meredith Burleson of Rowan; Nathan Dillon of Guilford; Richard Hartney, III of Guilford; Brock Helms of Mecklenburg; Sarah Henderson of Pasquotank; Lisa McCall of Vance; Lisa Meads of Pasquotank; Brijal Padia of Wake; Kristy Sampson of Robeson; Susan Willetts of New Hanover; Peter Williams of Wake; Rayland Wilson of Watauga; and Terry Wilson of Rockingham.

VOTE CHANGE

Representative Linney states that his voting equipment malfunctioned and requests to be recorded as voting "aye" on the second reading of **H.B. 195,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF SUPERIOR COURT JUDGES BY JUDICIAL DISTRICT. This request is granted. The adjusted vote total is (95 - 22).

On motion of Representative Morgan, seconded by Representative Creech, the House adjourns in memory of the brave Americans who fought at Iwo Jima, at 8:54 p.m. to reconvene February 21 at 1:30 p.m.

SIXTEENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 21, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, in the scriptures one of Your many names is 'The Word'. In these sessions we will be using many words, some to defend, some to defeat. But, 'ere the silver cord be loosed and the bowl lie broken by the cistern, and we stand before You our Holy God unmasked, may we never forget that Yours will be the 'Last Word'. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 20 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (104-0).

A leave of absence is granted Representative Hackney for today.

CONFEREE APPOINTED

The Speaker appoints Representative Wood as both an additional conferee and as Chair of the House Conference Committee on House Committee Substitute for **S.B. 16,** A BILL DIRECTING THE STATE BOARD OF EDUCATION TO RECOMMEND CHANGES IN THE PUBLIC SCHOOL SYSTEM, which proposes to change the title upon concurrence to read, **S.B. 16,** A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN FOR THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC INSTRUCTION, and the Senate is so notified by Special Message.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Holmes, Creech, and Esposito:

H.B. 229, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Holmes, Creech, and Esposito:

H.B. 230, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives R. Hunter, Hensley, McCrary, and Michaux:

H.B. 231, A BILL TO BE ENTITLED AN ACT TO REQUEST THE SUPREME COURT TO ADOPT A PLAN TO ADMINISTER JUSTICE WITHOUT DELAY IN NORTH CAROLINA TRIAL COURTS, is referred to the Committee on Judiciary I.

By Representatives R. Hunter, Hensley, McCrary, and Michaux:

H.B. 232, A BILL TO BE ENTITLED AN ACT TO MAKE VICTIM IMPACT STATEMENTS AND PLEA BARGAINING INFORMATION FOR VICTIMS MANDATORY IN ALL FELONY CASES, is referred to the Committee on Judiciary I.

By Representative Morgan:

H.B. 233, A BILL TO BE ENTITLED AN ACT TO TRANSFER MOORE COUNTY TO JUDICIAL AND PROSECUTORIAL DISTRICTS 19B, is referred to the Committee on Judiciary I.

By Representative Ives:

H.B. 234, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SUPPLEMENTS FOR TEACHERS IN FACILITIES OPERATED BY THE DIVISION OF YOUTH SERVICES, is referred to the Committee on Appropriations.

By Representatives Rogers, Barnes, Black, Esposito, Gray, and Oldham:

H.B. 235, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO LAWS CONCERNING THE SCHOOL ADMINISTRATOR STANDARDS BOARD AND TO EXTEND TO 1998 THE DATE FOR IMPLEMENTATION OF THE STANDARDS BOARD EXAM, is referred to the Committee on Education.

By Representatives Lemmond, Arnold, Baker, Barnes, Berry, Black, Bowie, Braswell, Brawley, J. Brown, Buchanan, Cansler, Carpenter, Creech,

Culp, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hensley, Hiatt, Hill, Holmes, Ives, Justus, Kiser, Linney, McComas, McCombs, McLaughlin, McMahan, Mercer, K. Miller, Mitchell, Nichols, Nye, Pate, Preston, Rayfield, Redwine, Reynolds, Richardson, Robinson, Russell, Sexton, Shubert, Tallent, Thompson, Weatherly, Wilkins, G. Wilson, Wood, and Yongue:

H.B. 236, A BILL TO BE ENTITLED AN ACT TO REPEAL THE TWO PERCENT HEALTH INSURANCE PREMIUMS TAX, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 9, A BILL TO BE ENTITLED AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS, is read the first time and referred to the Committee on Finance.

S.B. 63, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL BOARDS TO PROVIDE THE NORTH CAROLINA HISTORICAL COMMISSION WITH NOTICE OF PLANS TO REPLACE OLD SCHOOL BUILDINGS BY SUBMITTING THE FEASIBILITY AND COST ANALYSES FOR REVIEW BY THE COMMISSION, is read the first time and referred to the Committee on Education.

S.B. 133, A BILL TO BE ENTITLED AN ACT TO ALLOW GRAHAM COUNTY AND MACON COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES AND TO MAKE IT A MISDEMEANOR TO OBTAIN AMBULANCE SERVICES WITHOUT INTENT TO PAY OR TO MAKE AN UNNEEDED AMBULANCE REQUEST IN GRAHAM COUNTY AND POLK COUNTY, is read the first time and referred to the Committee on Local and Regional Government I.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 131,** A BILL TO BE ENTITLED AN ACT TO APPOINT MEMBERS OF THE WHITEVILLE CITY BOARD OF EDUCATION AND TO CHANGE THE TIME FOR THEIR APPOINTMENT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 71, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FIRE FIGHTERS AND EMERGENCY MEDICAL SERVICE PERSONNEL MAY POSSESS OR CARRY WEAPONS ON SCHOOL GROUNDS WHEN DISCHARGING THEIR OFFICIAL DUTIES.

On motion of Representative Edwards, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (107-9), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for **S.B. 13,** A BILL TO BE ENTITLED AN ACT TO FURTHER REDUCE EMPLOYERS' UNEMPLOYMENT INSURANCE TAXES.

Representative C. Wilson offers Amendment No. 1.

Representative Cunningham moves that the bill and the pending amendment be withdrawn from the Calendar and re-referred to the Committee on Finance.

Representative Daughtry moves that the bill and the pending amendment be withdrawn from the Calendar and placed on the Calendar for February 23.

Representative Culpepper moves, seconded by Representative Luebke, that Representative Daughtry's motion to postpone the bill and the pending amendment to February 23 be tabled.

The motion to table fails by electronic vote (46-72).

Representative Daughtry calls the previous question on the motion to

postpone the bill and the pending amendment and the call is sustained by electronic vote (117-1).

The motion to postpone the bill and the pending amendment to February 23 carries by electronic vote (91-27).

H.B. 195, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF SUPERIOR COURT JUDGES BY JUDICIAL DISTRICT.

Representative Michaux moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I. The motion fails by electronic vote (41-69).

The bill passes its third reading, by electronic vote (85-23), and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 17, A BILL TO BE ENTITLED AN ACT TO RETURN THE FOOD STAMP FRAUD FELONY THRESHOLD TO ITS PRE-1991 LIMIT, passes its second reading, by electronic vote (109-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 82, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE GENERAL ASSEMBLY AND CHAIRS OF COUNTY BOARDS OF COMMISSIONERS TO ADMINISTER OATHS OF OFFICE, passes its second reading, by electronic vote (106-6) and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

RE-REFERRAL

On motion of Representative Ellis, pursuant to Rule 39.2, **H.B. 214,** A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF TARBORO, is withdrawn from the

Committee on Local and Regional Government I and re-referred to the Committee on Local and Regional Government II.

On motion of Representative Morgan, seconded by Representative Davis, the House adjourns at 3:17 p.m. to reconvene February 22 at 12:00 Noon.

SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 22, 1995

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"O Lord, our Lord, how excellent is Thy name in all the earth. We pause to worship Thee, to magnify Thy greatness. Forgive us our sins this day even as we forgive those who trespass against us. Bless those who have secret burdens within their hearts today, and bring peace where there is pain. Give safety on the trip to Fayetteville and a fresh appreciation for the men and women in our Armed Services, and make us both humble and proud once again that we are all Americans. Through Christ our Lord we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 21 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (98-0).

Leaves of absence are granted Representatives Bowen and Ramsey for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Ellis for the Committee on Local and Regional

Government I.

H.B. 145, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROANOKE RAPIDS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 181, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR THE CALDWELL COUNTY SCHOOLS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Ellis and Allred:

H.B. 237, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADOPTION LAWS PERTAINING TO ACCESS TO ADOPTION RECORDS, is referred to the Committee on Welfare Reform and Human Resources.

By Representative Wainwright:

H.B. 238, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LICENSING OF DEALERS IN POULTRY AND RATITES, is referred to the Committee on Agriculture.

By Representative Owens:

H.B. 239, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representative Bowie:

H.B. 240, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SENTENCING COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cummings, J. Brown, Cocklereece, Culp, Grady, Justus, Pate, Preston, Sherrill, Shubert, Sutton, Weatherly, and G. Wilson:

H.B. 241, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT NONCERTIFICATED PUBLIC SCHOOL EMPLOYEES BE HIRED ON A CONTINUING CONTRACT, is referred to the Committee on Education.

By Representatives Cummings, Baker, Barnes, Black, Grady, Gray, Lemmond, McMahan, Oldham, Pate, Preston, Rogers, Sutton, and Weatherly:

H.B. 242, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO ESTABLISH A UNIFORM REVERSION RATE UNDER THE UNC MANAGEMENT FLEXIBILITY AND ACCOUNTABILITY ACT, is referred to the Committee on Appropriations, Subcommittee on Education.

By Representative Bowie:

H.B. 243, A BILL TO BE ENTITLED AN ACT TO CREATE A NEW OFFENSE OF TRESPASSING ON RAILROAD RIGHTS-OF-WAY, TO INCREASE THE PENALTY FOR FAILURE TO OBEY RAILROAD SIGNALS, AND TO OTHERWISE IMPROVE SAFETY AT RAILROAD CROSSINGS, is referred to the Committee on Transportation.

By Representatives Luebke, Arnold, Gamble, Ramsey, and Tallent:

H.B. 244, A BILL TO BE ENTITLED AN ACT TO REDUCE THE CORPORATE INCOME TAX, is referred to the Committee on Finance.

By Representatives Luebke, Arnold, Gamble, Ramsey, and Tallent:

H.B. 245, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF HOLDING COMPANY FOR FRANCHISE TAX PURPOSES TO PROVIDE THAT A MINOR ONE-YEAR FLUCTUATION IN INCOME DOES NOT DISQUALIFY A COMPANY AS A HOLDING

COMPANY AND TO ANNUALLY ADJUST THE MAXIMUM FRANCHISE TAX ON HOLDING COMPANIES BY AN AMOUNT EQUAL TO THE PERCENTAGE INCREASE OR DECREASE IN STATE PERSONAL INCOME DURING THE MOST RECENT TWELVE-MONTH PERIOD, is referred to the Committee on Finance.

By Representatives Gamble, Arnold, Luebke, Ramsey, and Tallent:

H.J.R. 246, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO STUDY THE REVENUE LAWS OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 125, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON REVERSE MORTGAGES, is read the first time and referred to the Committee on Financial Institutions.

S.B. 167, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES NOT TO BILL FOR CERTAIN PROPERTY TAXES WHEN THE AMOUNT DUE ON THE TAX BILL IS LESS THAN THE COST OF PREPARING AND SENDING THE BILL, is read the first time and referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Hurley, the House adjourns at 12:14 p.m. to reconvene February 23 at 1:30 p.m.

EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 23, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House

Chaplain.

"Our Heavenly Father, as we come to the last day in another 'Legislative Week' we would like to give thanks for the gift of life, and for the opportunity of service in this governmental process. We would like to thank You for the fine young people who have served as pages and officers on the floor. And for our Principal Clerk, Ms. Denise Weeks, and all her staff and colleagues, for without them and all our secretaries we would not be able to function at all. Bless our Speaker and each House member as we fulfill Your purposes through law, and take us safely to our homes and families for a restful weekend together. In our Savior's name we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 22 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (96-0).

Leaves of absence are granted Representatives Culp, McAllister, Michaux, Ramsey, Robinson, and Wilkins for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 67, AN ACT TO CREATE THE STATE-OWNED SUBMERGED LANDS ADVISORY COMMITTEE AND TO REQUIRE THAT THE ADVISORY COMMITTEE MAKE ITS FINAL REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE MAY 1, 1995. (CHAPTER 2)

H.B. 131, AN ACT TO APPOINT MEMBERS OF THE WHITEVILLE CITY BOARD OF EDUCATION AND TO CHANGE THE TIME FOR THEIR APPOINTMENT. (CHAPTER 3)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 4, A BILL TO BE ENTITLED AN ACT TO REPEAL THE

PRISON POPULATION CAP, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Miner for the Committee on Transportation:

H.B. 135, A BILL TO BE ENTITLED AN ACT TO MAKE CONFIDENTIAL ALL PHOTOGRAPHIC IMAGES RECORDED BY THE DIVISION OF MOTOR VEHICLES FOR DRIVERS LICENSES, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

By Representative Dockham for the Committee on Insurance:

H.B. 98, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY LONG-TERM CARE INSURANCE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 108, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIALIZED REGISTRATION PLATES FOR RETIRED CLERKS OF SUPERIOR COURT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 127, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Insurance.

On motion of Representative K. Miller, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Insurance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Dickson, Alexander, Barbee, Beall, Black, Buchanan, Church, Clary, Creech, Culp, Cunningham, Earle, Hill, Holmes, Howard, McCombs, McMahan, G. Miller, Mitchell, Owens, Pulley, Ramsey, Rayfield, Reynolds, Rogers, Sharpe, Sherrill, Sutton, Tallent, Weatherly, Wilkins, G. Wilson, and Wood:

H.B. 247, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON FUEL COST ADJUSTMENT FOR ELECTRIC UTILITIES, is referred to the Committee on Public Utilities.

By Representatives Shubert, Barbee, and Tallent:

H.B. 248, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT UNION COUNTY MAY ASSESS A FIRE PROTECTION FEE ON CERTAIN MOBILE HOMES, is referred to the Committee on Local and Regional Government I.

By Representatives Hensley, Rogers, and Russell (Co-Sponsors):

H.B. 249, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MAXIMUM PERIOD OF TIME A JUVENILE MAY BE COMMITTED IN ACCORDANCE WITH STRUCTURED SENTENCING, is referred to the Committee on Judiciary II.

By Representatives Hensley, Rogers, and Russell (Co-Sponsors); and Pate:

H.B. 250, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON THE JUVENILE CODE TO ALLOW COURTS TO ORDER PSYCHIATRIC OR PSYCHOLOGICAL TREATMENT OF PARENTS OF

JUVENILES ADJUDICATED DELINQUENT, UNDISCIPLINED, ABUSED, NEGLECTED, OR DEPENDENT AT THE DISPOSITIONAL HEARINGS OR SUBSEQUENT HEARINGS AND TO PROVIDE FOR NOTICE, is referred to the Committee on Judiciary II.

By Representatives Hensley, Rogers, and Russell (Co-Sponsors); and Pate:

H.J.R. 251, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE JUVENILE CODE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Grady, Adams, Alexander, Arnold, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Braswell, J. Brown, W. Brown, Buchanan, Church, Clary, Crawford, Culp, Culpepper, Cummings, Earle, Edwards, Fitch, Fox, Gamble, Gardner, Hensley, Hill, Hunt, R. Hunter, Hurley, Justus, Lee, Lemmond, Locke, McAllister, McCombs, McCrary, McLaughlin, Mercer, G. Miller, K. Miller, Nichols, Nye, Owens, Pate, Preston, Ramsey, Redwine, Reynolds, Richardson, Rogers, Russell, Shaw, Snowden, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, Wright, and Yongue:

H.B. 252, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LOW-WEALTH SCHOOL SYSTEMS' SUPPLEMENTAL FUNDING, is referred to the Committee on Appropriations.

By Representatives Hensley, Black, Grady, Lemmond, Michaux, Morgan, and Sutton (Co-Sponsors); and Hill:

H.B. 253, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL, is referred to the Committee on Judiciary II.

By Representatives Hensley, R. Hunter, McCrary, and Michaux (Co-Sponsors):

H.B. 254, A BILL TO BE ENTITLED AN ACT TO ADOPT A SPEEDY TRIAL LAW FOR CRIMINAL CASES IN SUPERIOR COURT, is referred to the Committee on Judiciary II.

By Representatives Hensley, Berry, Brawley, Buchanan, H. Hunter,

R. Hunter, Robinson, Rogers, and Thompson (Co-Sponsors):

H.B. 255, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JUVENILE CODE COMMITTEE OF THE LEGISLATIVE RESEARCH COMMISSION TO EXTEND THE PILOT PROGRAM FOR CATAWBA, BERTIE, AND MCDOWELL COUNTIES ESTABLISHED UNDER THE ADMINISTRATIVE OFFICE OF THE COURTS REGARDING JUVENILE COURT JURISDICTION OVER JUVENILES BETWEEN SIXTEEN AND EIGHTEEN YEARS OF AGE WHO ARE BEYOND THE DISCIPLINARY CONTROL OF THEIR PARENTS AND TO CLARIFY THE SCOPE OF THE PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Braswell, Cunningham, Rogers, and Wright (Co-Sponsors); Cummings and Luebke:

H.B. 256, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMUNITY-BASED PARTNERSHIP AND GRANT PROGRAM AND TO ESTABLISH A GRANTS INFORMATION NETWORK, is referred to the Committee on Appropriations.

By Representatives Braswell, Cunningham, Rogers, and Wright (Co-Sponsors); and Luebke:

H.B. 257, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF YOUTH SERVICES TO STUDY AND DEVELOP PROPOSALS DESIGNED TO ENHANCE THE SUCCESS OF YOUTH RELEASED FROM JUVENILE CONFINEMENT FACILITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives H. Hunter and Wainwright:

H.B. 258, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO INCREASE ELIGIBILITY LIMITS FOR CHILD CARE SUBSIDIES TO ENABLE FAMILIES TO RECEIVE CHILD CARE FOR A LONGER PERIOD OF TIME AS THEY TRANSITION OFF WELFARE, AND TO APPROPRIATE FUNDS, is referred to the Committee on Appropriations.

By Representatives H. Hunter, Wainwright, and Wright:

H.B. 259, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO MANDATE CRIMINAL HISTORY CHECKS OF CHILD DAY CARE PROVIDERS, TO STUDY THE USE OF THE CENTRAL REGISTRY ON CHILD ABUSE AND NEGLECT, AND TO APPROPRIATE FUNDS, is referred to the Committee on Welfare Reform and Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives H. Hunter and Wainwright:

H.B. 260, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO AID CERTAIN WORKING PARENTS OF LOW-INCOME CHILDREN WHO ARE NOT CURRENTLY RECEIVING CHILD CARE SUBSIDIES TO RECEIVE SUBSIDIES TO ENABLE THEM TO CONTINUE TO WORK, AND TO APPROPRIATE FUNDS, is referred to the Committee on Welfare Reform and Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives H. Hunter, Wainwright, and Wright:

H.B. 261, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON CHILD CARE ISSUES TO ESTABLISH THE REQUIREMENTS FOR THE MONTHLY SCHEDULE OF PAYMENTS OF THE PURCHASE OF CHILD CARE SERVICES FOR LOW-INCOME CHILDREN, AND TO APPROPRIATE FUNDS, is referred to the Committee on Welfare Reform and Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives H. Hunter, Clary, and Wright:

H.B. 262, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO APPROPRIATE FUNDS TO PROVIDE CHILD CARE RESOURCES AND REFERRAL SERVICES TO CERTAIN COUNTIES UNSERVED BY EARLY CHILDHOOD EDUCATION AND DEVELOPMENT INITIATIVES THAT ARE CURRENTLY UNABLE TO USE ALL THEIR DAY CARE ALLOCATIONS, is referred to the Committee on Welfare Reform and Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives Church, Buchanan, and Thompson:

H.B. 263, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF DREXEL IN BURKE COUNTY FOR CONSTRUCTION OF PUBLIC FACILITIES ON THE TOWN'S FAIRGROUND PROPERTY, is referred to the Committee on Appropriations.

By Representatives Brawley and Wright (Co-Sponsors); Hayes and Luebke:

H.B. 264, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GRADUATED MOTOR VEHICLES DRIVERS LICENSES AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives McCrary, R. Hunter, and Michaux:

H.B. 265, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY A PRIVATE PROCESS SERVER WHEN A PROPER OFFICER RETURNS SERVICE OF PROCESS UNEXECUTED, is referred to the Committee on Judiciary I.

By Representatives McCrary, Hensley, R. Hunter, and Michaux (Co-Sponsors):

H.B. 266, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PLANNING OF A NEW STATE JUDICIAL CENTER, is referred to the Committee on Appropriations.

By Representatives Michaux, Hensley, R. Hunter, and McCrary:

H.B. 267, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ENFORCEMENT OF AN ORDER FOR RESTITUTION IN A CRIMINAL CASE IN THE SAME MANNER AS A CIVIL JUDGMENT, is referred to the Committee on Judiciary II.

By Representatives Michaux, Hensley, R. Hunter, and McCrary:

H.B. 268, A BILL TO BE ENTITLED AN ACT TO RECONFORM THE MILEAGE REIMBURSEMENT FOR OUT-OF-STATE WITNESSES TO THAT RECEIVED BY IN-STATE WITNESSES AND STATE EMPLOYEES, is referred to the Committee on Judiciary II.

By Representatives Hackney, Alexander, Bowie, Braswell, Cummings, Easterling, Gardner, Luebke, and McAllister:

H.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DISTRICT COURT JUDGES TO SANCTION PARTIES TO EQUITABLE DISTRIBUTION PROCEEDINGS FOR PURPOSEFUL, PREJUDICIAL DELAY OF THE PROCEEDINGS, is referred to the Committee on Judiciary II.

By Representatives Hackney, Alexander, Bowie, Braswell, Cummings, Easterling, Gardner, Luebke, and McAllister:

H.B. 270, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAWS PERTAINING TO ALIMONY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION AND THE LRC STUDY COMMITTEE ON FAMILY ISSUES, is referred to the Committee on Judiciary II.

By Representatives Hackney, Alexander, Bowie, Braswell, Cummings, Easterling, Gardner, Luebke, and McAllister:

H.B. 271, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT MEDIATION PROGRAM FOR EQUITABLE DISTRIBUTION UNDER THE ADMINISTRATIVE OFFICE OF THE COURTS, AS RECOMMENDED BY THE LRC STUDY COMMITTEE ON FAMILY ISSUES, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Appropriations.

By Representatives Hackney, Alexander, Braswell, Cummings, Decker, Easterling, Gardner, Luebke, McAllister, Russell, and Wood:

H.B. 272, A BILL TO BE ENTITLED AN ACT TO ALLOW INTERIM DISTRIBUTIVE AWARDS IN EQUITABLE DISTRIBUTION CASES, AS RECOMMENDED BY THE LRC STUDY COMMITTEE ON FAMILY ISSUES, is referred to the Committee on Judiciary II.

By Representatives Hackney, Alexander, Bowie, Boyd-McIntyre, Braswell, Decker, Earle, Easterling, Gardner, Hurley, Luebke, McAllister, Russell, and Wood:

H.B. 273, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT CLAIMS FOR EQUITABLE DISTRIBUTION BE RESOLVED BEFORE A

DIVORCE MAY BE GRANTED, is referred to the Committee on Judiciary II.

By Representatives Hackney, Alexander, Braswell, Cummings, Decker, Easterling, Gardner, Hurley, Luebke, and McAllister:

H.J.R. 274, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FAMILY LAW REFORM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Brawley, Bowen, Buchanan, Easterling, Luebke, McLaughlin, and Robinson:

H.J.R. 275, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO STUDY WAYS TO PROMOTE ENERGY CONSERVATION AND THE USE OF RENEWABLE ENERGY SOURCES IN NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Brawley, Bowen, Buchanan, McLaughlin, and Robinson:

H.B. 276, A BILL TO BE ENTITLED AN ACT TO GRANT A CORPORATE TAX CREDIT FOR THE CONSTRUCTION OF AN ALTERNATIVE FUEL REFUELING OR RECHARGING FACILITY AND FOR INSTALLATION OF REFUELING OR RECHARGING EQUIPMENT AT A REFUELING OR RECHARGING FACILITY, is referred to the Committee on Finance.

By Representatives Brawley, Bowen, McLaughlin, and Robinson:

H.B. 277, A BILL TO BE ENTITLED AN ACT TO REDUCE THE MOTOR FUEL TAX FOR ALTERNATIVE TRANSPORTATION FUELS, is referred to the Committee on Finance.

By Representatives Brawley, Bowen, McLaughlin, and Robinson:

H.B. 278, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ALTERNATIVE TRANSPORTATION FUEL LOAN FUND TO PROVIDE LOANS TO UNITS OF LOCAL GOVERNMENT IN ORDER TO PROMOTE THE USE OF ALTERNATIVE FUELS FOR VEHICLES, is

referred to the Committee on Transportation and, if favorable, to the Committee on Appropriations.

By Representatives Brawley, Bowen, and McLaughlin:

H.B. 279, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STATE FACILITIES ENERGY CONSERVATION PROGRAM; TO AUTHORIZE THE DEPARTMENT OF ADMINISTRATION TO ENTER INTO ALTERNATIVE FINANCING AGREEMENTS FOR THE PURCHASE OF ENERGY CONSERVATION PROJECTS; AND TO AUTHORIZE THE ISSUANCE OF BONDS THAT ARE SECURED BY AN INTEREST IN THE PROPERTY PURCHASED, is referred to the Committee on State Government and, if favorable, to the Committee on Appropriations.

By Representatives Ellis, Bowie, Easterling, Hurley, Luebke, and McComas:

H.B. 280, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF CERTAIN PRYOTECHNICS IN NORTH CAROLINA, is referred to the Committee on Business and Labor.

By Representatives Thompson and Howard (by request) (Co-Sponsors); Adams, Beall, Boyd-McIntyre, Buchanan, Easterling, Holmes, Linney, Nichols, Redwine, Sexton, and Sherrill:

H.B. 281, A BILL TO BE ENTITLED AN ACT TO CREATE THE RESIDENTIAL PROPERTY DISCLOSURE ACT, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Judiciary I.

By Representatives Alexander, Adams, Black, Church, Crawford, Cunningham, Earle, Easterling, Fox, Gardner, Hill, Hunt, H. Hunter, Ives, Lee, Lemmond, Luebke, McAllister, McComas, McLaughlin, McMahan, G. Miller, Nye, Pate, Redwine, Rogers, Russell, Sexton, Wainwright, and G. Wilson:

H.B. 282, A BILL TO BE ENTITLED AN ACT TO REAUTHORIZE THE MENTAL HEALTH STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Alexander, Adams, Black, Church, Crawford, Cunningham, Earle, Easterling, Fox, Gardner, Hackney, Hill, Hunt, H. Hunter, Hurley, Ives, Lee, Lemmond, Luebke, McAllister, McComas, McLaughlin,

G. Miller, Nye, Pate, Redwine, Rogers, Russell, Sexton, Wainwright, and G. Wilson:

H.B. 283, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE MENTAL HEALTH STUDY COMMISSION TO APPROPRIATE FUNDS FOR OPERATING COSTS OF IMPLEMENTATION OF THE COMMISSION'S AND COALITION 2001'S PLANS FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES IN NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Gray, Barnes, Black, Buchanan, Grady, Oldham, Preston, and Rogers:

H.B. 284, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO APPROPRIATE FUNDS TO ESTABLISH NEW DEGREE PROGRAMS AND TO EXPAND EXISTING DEGREE PROGRAMS IN CERTAIN ALLIED HEALTH FIELDS AT VARIOUS INSTITUTIONS OF HIGHER EDUCATION, is referred to the Committee on Appropriations.

By Representatives Luebke, Clary, and Easterling:

H.B. 285, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL COMPREHENSIVE SCHOOL-BASED ADOLESCENT HEALTH CENTERS, is referred to the Committee on Appropriations.

By Representatives Luebke, Boyd-McIntyre, Easterling, Wainwright, and Wright:

H.B. 286, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS TO REINSTATE THE STUDENTS AGAINST DRIVING DRUNK (SADD) COORDINATOR POSITION, is referred to the Committee on Appropriations.

By Representatives Dickson, Alexander, Blue, Boyd-McIntyre, Earle, Ives, Rogers, Shaw, Wainwright, and Wright:

H.B. 287, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE HEALTH CARE REFORM

RECOMMENDATIONS OF THE NORTH CAROLINA HEALTH PLANNING COMMISSION, is referred to the Committee on Insurance and, if favorable, to the Committee on Appropriations.

By Representatives Dickson, Alexander, Blue, Boyd-McIntyre, Earle, Ives, Rogers, Shaw, Wainwright, and Wright:

H.B. 288, A BILL TO BE ENTITLED AN ACT TO ENACT HEALTH CARE REFORM INITIATIVES IN THE AREAS OF PRIMARY CARE, HEALTH CARE FACILITIES, DATA COLLECTION, QUALITY IMPROVEMENT, LOCAL HEALTH PROGRAMS, AND OTHERS, AS RECOMMENDED BY THE NORTH CAROLINA HEALTH PLANNING COMMISSION, is referred to the Committee on Health and Environment.

By Representatives Dickson, Alexander, Blue, Boyd-McIntyre, Earle, Hurley, Ives, Luebke, Rogers, Shaw, Wainwright, and Wright:

H.B. 289, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO CHAPTER 58 OF THE GENERAL STATUTES, INSURANCE, AND TO MAKE OTHER CHANGES REGARDING INSURANCE MATTERS, AS RECOMMENDED BY THE NORTH CAROLINA HEALTH PLANNING COMMISSION, is referred to the Committee on Insurance.

By Representatives Dickson, Alexander, Blue, Boyd-McIntyre, Earle, Ives, Pate, Rogers, Russell, Shaw, Wainwright, and Wright:

H.B. 290, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN PROCEDURES PERTAINING TO MEDICAL MALPRACTICE ACTIONS AS RECOMMENDED BY THE NORTH CAROLINA HEALTH PLANNING COMMISSION, is referred to the Committee on Insurance and, if favorable, to the Committee on Judiciary II.

By Representatives Capps, Adams, Barnes, Beall, Boyd-McIntyre, Clary, Dickson, Earle, Easterling, Ives, Luebke, McLaughlin, Rogers, Sutton, and Yongue:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO ENACT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO CLARIFY THE AUTHORITY OF THE BUILDING CODE COUNCIL TO ADOPT PROVISIONS REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND

TENANTS REGARDING THE INSTALLATION AND UPKEEP OF SMOKE DETECTORS, is referred to the Committee on Business and Labor.

By Representatives Easterling, Adams, Barnes, Beall, Earle, Ives, Luebke, McLaughlin, Rogers, Sutton, Wright, and Yongue:

H.B. 292, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR TEN CHILD MALTREATMENT RESOURCE CENTERS, is referred to the Committee on Appropriations.

By Representatives Easterling, Adams, Barnes, Beall, Earle, Ives, Luebke, Nye, Rogers, Sutton, Wright, and Yongue:

H.B. 293, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR ADDITIONAL FOSTER CARE LICENSING AND PLACEMENT WORKERS, is referred to the Committee on Welfare Reform and Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives Easterling, Adams, Barnes, Beall, Boyd-McIntyre, Dickson, Earle, Ives, Luebke, McLaughlin, Rogers, Sutton, Wright, and Yongue:

H.B. 294, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR MULTIDISCIPLINARY TRAINING FOR CHILD SEXUAL ABUSE INVESTIGATION, is referred to the Committee on Welfare Reform and Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives Easterling, Beall, Earle, Ives, McLaughlin, and Thompson:

H.B. 295, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PRIORITY FOR PAYMENT OF LIABILITY CLAIMS FOR RENTAL CARS UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Insurance.

By Representatives Wright, Adams, Easterling, Hill, and Luebke:

H.B. 296, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE HOME VISITING SERVICES FOR CERTAIN

FAMILIES, AND TO AUTHORIZE AN INTERAGENCY COMMITTEE TO EVALUATE THE FAMILY OUTREACH PROGRAM, is referred to the Committee on Health and Environment and, if favorable, to the Committee on Appropriations.

By Representatives Wright, Adams, Boyd-McIntyre, Easterling, Hill, and Luebke:

H.B. 297, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR SUBSTANCE ABUSE SERVICES FOR JUVENILES UNDER SUPERVISION OF THE COURT, is referred to the Committee on Appropriations.

By Representatives Wright, Adams, Boyd-McIntyre, Clary, Dickson, Earle, Easterling, Gardner, Hill, Luebke, Shaw, and Thompson:

H.B. 298, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ADMINISTRATIVE REVOCATION OF THE DRIVERS LICENSE OF A PERSON AGED EIGHTEEN THROUGH TWENTY FOR HAVING A BLOOD ALCOHOL LEVEL OF 0.02 OR GREATER AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representatives Nye, Adams, Alexander, Earle, Ives, Sexton, Wainwright, and Wright:

H.B. 299, A BILL TO BE ENTITLED AN ACT TO EXPAND MEDICAID COVERAGE TO ALL ELDERLY AND DISABLED PEOPLE WITH INCOMES AT OR BELOW ONE HUNDRED PERCENT OF THE FEDERAL POVERTY LEVEL, AND TO APPROPRIATE FUNDS, is referred to the Committee on Appropriations.

By Representatives Warner, McAllister, Mitchell, Nichols, Nye, Pate, Russell, and Shaw:

H.B. 300, A BILL TO BE ENTITLED AN ACT AUTHORIZING LIMITED PURCHASING OF GOODS AND SERVICES FROM NONCERTIFIED SOURCES, is referred to the Committee on State Government.

By Representatives Warner, McAllister, Mitchell, Nichols, Nye, and

Shaw:

H.B. 301, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE AWARD OF STATE REQUIREMENTS CONTRACTS FOR FURNITURE, is referred to the Committee on State Government.

By Representatives Warner, McAllister, Mitchell, Nichols, Nye, Pate, Russell, and Shaw:

H.B. 302, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY STATE PURCHASING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warner, McAllister, Mitchell, Nichols, Nye, and Shaw:

H.B. 303, A BILL TO BE ENTITLED AN ACT CONCERNING THE OPERATION OF CORRECTION ENTERPRISES, is referred to the Committee on Business and Labor.

By Representatives Warner, McAllister, Mitchell, Nichols, Nye, and Shaw:

H.B. 304, A BILL TO BE ENTITLED AN ACT TO CREATE A STATE PROCUREMENT POLICY COUNCIL, is referred to the Committee on State Government.

By Representatives Creech, Cummings, Esposito, and Holmes.

H.B. 305, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Creech, Esposito, and Holmes:

H.B. 306, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives McAllister, Adams, Buchanan, and Wainwright:

H.B. 307, A BILL TO BE ENTITLED AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS, is referred to the Committee on Finance.

By Representatives Hackney and Luebke:

H.B. 308, A BILL TO BE ENTITLED AN ACT TO PROMOTE POLLUTION PREVENTION IN NORTH CAROLINA BY ESTABLISHING A STATE GOAL FOR REDUCTION OF RELEASES AND TRANSFERS OF CERTAIN TOXIC CHEMICALS AND BY REQUIRING THE DEVELOPMENT OF POLLUTION PREVENTION PLANS, AS PROPOSED BY THE POLLUTION PREVENTION ADVISORY COUNCIL AND RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Health and Environment.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 104, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, is read the first time and referred to the Committee on Finance.

S.B. 108, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ADOPTIONS SHALL BE IN THE DISTRICT COURT, is read the first time and referred to the Committee on Judiciary I.

CALENDAR

Action is taken on the following:

S.B. 13, A BILL TO BE ENTITLED AN ACT TO FURTHER REDUCE EMPLOYERS' UNEMPLOYMENT INSURANCE TAXES, is before the Body with Amendment No. 1 pending.

Representative C. Wilson withdraws Amendment No. 1.

The bill passes its third reading, by electronic vote (102-0), and is ordered

enrolled.

On motion of Representative Morgan, seconded by Representative Black, the House adjourns at 1:54 p.m. to reconvene Monday, February 27, 1995, at 8:00 p.m.

NINETEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 27, 1995

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Cummings.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 23 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (106-0).

Leaves of absence are granted Representatives Aldridge, W. Brown, Edwards, Gray, Holmes, Ramsey, and Wright for today.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State.

S.B. 13, AN ACT TO FURTHER REDUCE EMPLOYERS' UNEMPLOYMENT INSURANCE TAXES. (CHAPTER 4)

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative McCombs for the Committee on Pensions and

Retirement:

H.B. 105, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND AND THE MONTHLY MEMBER CONTRIBUTION AND TO DECLARE THE INTENT OF THE LEGISLATURE TO PROVIDE COST-OF-LIVING INCREASES, AS FUNDS ARE AVAILABLE, with a favorable report as to committee substitute bill which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

VOTE CHANGE

Representative Watson states that her voting equipment malfunctioned and requests that she be recorded as voting "aye" on the motion to approve the Journal of February 23. This request is granted. The adjusted vote total is (107-0).

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Nichols and Wainwright:

H.B. 309, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE PAMLICO COUNTY GEOGRAPHICAL INFORMATION SYSTEM, is referred to the Committee on Local and Regional Government I.

By Representative Morgan:

H.J.R. 310, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Robinson, Brawley, Gardner, and Mitchell:

H.B. 311, A BILL TO BE ENTITLED AN ACT TO MAKE USE OF A COUNTERFEIT TRADEMARK A CRIME IN NORTH CAROLINA, is referred to the Committee on Business and Labor.

By Representatives Weatherly and Clary:

H.B. 312, A BILL TO BE ENTITLED AN ACT TO PERMIT CHIMNEY ROCK VILLAGE TO HOLD CERTAIN ABC ELECTIONS, is referred to the Committee on Judiciary II.

By Representatives Hiatt, Baker, and G. Wilson:

H.B. 313, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF MOUNT AIRY TO CHANGE FROM PARTISAN TO NONPARTISAN THE METHOD OF ELECTING THE MAYOR AND BOARD OF COMMISSIONERS, is referred to the Committee on Local and Regional Government II.

By Representatives Hiatt, Baker, and G. Wilson:

H.B. 314, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO MOUNT AIRY'S FIREFIGHTERS' SUPPLEMENTARY FUND, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Pensions and Retirement.

By Representatives C. Wilson, Alexander, Baker, Berry, Black, Brawley, J. Brown, Buchanan, Capps, Earle, Easterling, Edwards, Fox, Hayes, Hiatt, Hill, Locke, McComas, McMahan, Mercer, Miner, Nye, Rayfield, Redwine, Snowden, G. Wilson, and Wright:

H.B. 315, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF COMMUNITY COLLEGE BONDS OR NOTES AND TO APPROPRIATE THE PROCEEDS OF THESE BONDS AND NOTES FOR COMMUNITY COLLEGE CAPITAL PROJECTS, is referred to the Committee on Appropriations, Subcommittee on Education.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 152, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY FOR THE NONBETTERMENT RELOCATION OF SANITARY DISTRICT UTILITIES, is read the first time and referred to the Committee on Transportation.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar:

Committee Substitute for **H.B. 145,** A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROANOKE RAPIDS.

On motion of Representative Crawford, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 181,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR THE CALDWELL COUNTY SCHOOLS, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

INTRODUCTION OF PAGES

Pages for the week of February 27 - March 2 are introduced to the membership. They are: Stefanie Gail Beddingfield of Moore; Brandee Boone of Mitchell; Amanda Bristow of Forsyth; Heather Christensen of Buncombe; April Duell of Wake; Mary Allen Dye of Mitchell; Mary Ann Goodwin of Nash; LaToya Hughes of Forsyth; Jason Jordan of Cumberland; Emily Kendall of Nash; Jennifer Overman of Wake; Elliott Peace of Vance; Katonia Pone of Columbus; Amy Porter of Davie; Joseph Powell of Cumberland; Eboni Scott of Wake; Amber Slagle of Mitchell; Mike Swartz of Wake; Courtney Whyms of Wake; Robert Yancey, Jr. of Watauga.

On motion of Representative Morgan, seconded by Representative Creech, the House adjourns at 8:16 p.m. to reconvene February 28 at 1:30 p.m.

TWENTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 28, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, we pause once again to acknowledge our dependence upon Thee. Thank You for the gift of life today, and for the work in our committees that You have already allowed us to share in. We pray especially today for our colleagues, Representatives Aldridge and Ramsey who are ill, and we pray for both of them a speedy and complete recovery. Thank You for the good doctors, nurses, technicians, medicines, and facilities through which You extend Your healing hand. Bless us now as we turn to the task before us. May we apply the legislative scalpel to each bill, excising that which is flawed, and enhancing that which is good, and grant to us personally Your cleansing forgiveness through Christ our Lord. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 27 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (89-0).

Leaves of absence are granted Representatives Aldridge, Ramsey, Richardson, and Wright for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 128, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF HENDERSON TO USE WHEEL LOCKS ON CERTAIN ILLEGALLY PARKED VEHICLES, with a favorable report as to committee

substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 133, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF COLUMBUS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of the Chair, and pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Wood for the Committee on Education:

H.B. 7, A BILL TO BE ENTITLED AN ACT TO RESTORE CONSTITUTIONAL POWERS TO THE STATE BOARD OF EDUCATION AND TO MAKE CONFORMING CHANGES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative J. Brown for the Committee on Agriculture:

H.B. 165, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE OF FOREST FIRE AIRCRAFT AND TRACTOR PLOWS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

H.B. 3, A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND

BUDGET, REFORMING THE BUDGET PROCESS, ESTABLISHING AN EMERGENCY RESERVE TRUST FUND, AND PROHIBITING UNFUNDED STATE MANDATES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

By Representatives Berry and Howard, Co-Chairs for the Standing Committee on Welfare Reform and Human Resources, refer the following bills to the Permanent Subcommittee on Families:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO ENSURE THE BEST USE OF DAY CARE FUNDS;

H.B. 259, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO MANDATE CRIMINAL HISTORY CHECKS OF CHILD DAY CARE PROVIDERS, TO STUDY THE USE OF THE CENTRAL REGISTRY ON CHILD ABUSE AND NEGLECT, AND TO APPROPRIATE FUNDS;

H.B. 260, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO AID CERTAIN WORKING PARENTS OF LOW-INCOME CHILDREN WHO ARE NOT CURRENTLY RECEIVING CHILD CARE SUBSIDIES TO RECEIVE SUBSIDIES TO ENABLE THEM TO CONTINUE TO WORK, AND TO APPROPRIATE FUNDS;

H.B. 261, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON CHILD CARE ISSUES TO ESTABLISH THE REQUIREMENTS FOR THE MONTHLY SCHEDULE OF PAYMENTS OF THE PURCHASE OF CHILD CARE SERVICES FOR LOW-INCOME CHILDREN, AND TO APPROPRIATE FUNDS;

H.B. 262, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO APPROPRIATE FUNDS TO PROVIDE CHILD CARE RESOURCES AND REFERRAL SERVICES TO CERTAIN COUNTIES

UNSERVED BY EARLY CHILDHOOD EDUCATION AND DEVELOPMENT INITIATIVES THAT ARE CURRENTLY UNABLE TO USE ALL THEIR DAY CARE ALLOCATIONS;

H.B. 293, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR ADDITIONAL FOSTER CARE LICENSING AND PLACEMENT WORKERS; and

H.B. 294, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR MULTIDISCIPLINARY TRAINING FOR CHILD SEXUAL ABUSE INVESTIGATION.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Allred, K. Miller, and Reynolds:

H.B. 316, A BILL TO BE ENTITLED AN ACT TO ALLOW ALAMANCE COUNTY RESIDENTS OF THE EXTRATERRITORIAL PLANNING JURISDICTION OF A CITY TO VOTE IN ELECTIONS OF THAT CITY, is referred to the Committee on Local and Regional Government II.

By Representatives Oldham, Decker, Esposito, Gray, Sexton, and Womble:

H.B. 317, A BILL TO BE ENTITLED AN ACT RELATING TO ELECTIONS OF THE CITY OF WINSTON-SALEM AND THE COUNTY OF FORSYTH SO THAT THE GENERAL LAW WILL APPLY ON SHARING OF COSTS OF THE COUNTY BOARD OF ELECTIONS, is referred to the Committee on Local and Regional Government II.

By Representatives Cummings, Arnold, Brawley, Clary, Cocklereece, Davis, Grady, Pate, Preston, Shubert, Snowden, and G. Wilson:

H.B. 318, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO MAKES MORE THAN ONE TRIP DRIVING VOTERS TO THE POLLS ON ELECTION DAY MUST BE LICENSED AS A TAXI

DRIVER, is referred to the Committee on Judiciary II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 153, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENTS THAT GRANITE FALLS ABC STORES BE AUDITED QUARTERLY, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 178, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR THE ALLEGHANY SCHOOL ADMINISTRATIVE UNIT, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 179, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE ROCKINGHAM TOURISM DEVELOPMENT AUTHORITY, is read the first time and referred to the Committee on Local and Regional Government I.

Committee Substitute for **S.B. 200,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CIVIL PENALTIES FOR VIOLATIONS OF THE GASOLINE AND OIL INSPECTION LAW, THE MEAT INSPECTION LAW, AND THE ANIMAL WELFARE AND ANIMAL HEALTH LAWS, is read the first time and referred to the Committee on Agriculture.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 98, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY LONG-TERM CARE INSURANCE.

On motion of Representative Morgan, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Lee,

the House adjourns at 1:40 p.m. to reconvene March 1 at 1:30 p.m.

TWENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 1, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, thank You for those who upon high principal, value, and faith, have provided for us this brief moment of prayer at the beginning of each session. May it not be for us just ritual or ceremony, but a true expression of personal faith and integrity. May Thy word truly be 'a lamp unto our feet and a light unto our pathway', and may Your truth be the standard by which all our decisions are measured through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 28 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-0).

Leaves of absence are granted Representatives Aldridge, Bowen, Ramsey, and Wright for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Robinson for the Committee on Business and Labor:

H.B. 47, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LICENSES OF ELECTRICAL CONTRACTORS FOR RESIDENTIAL DWELLINGS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the

committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Berry and Howard for the Committee on Welfare Reform and Human Resources:

H.B. 24, A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF FOOD STAMPS TO PARTICIPATE IN WORKFARE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives C. Wilson, Gray, and Arnold for the Committee on Finance:

H.B. 55, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SALES TAX PREFERENCES FOR AGRICULTURE APPLY TO AQUACULTURE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 115, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STRUCTURE AND APPOINTMENT OF THE HALIFAX ABC BOARD AND TO PROVIDE THAT DISTRIBUTION OF REVENUE SHALL BE ACCORDING TO GENERAL STATUTE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 146, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LUMBERTON TO ENACT ORDINANCES REGULATING THE TOWING OF MOTOR VEHICLES THAT HAVE BEEN ABANDONED AND ARE NOT COVERED BY FINANCIAL RESPONSIBILITY, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRALS

Representative Edwards, Chair for the Standing Committee on State Government, refers:

H.B. 120, A BILL TO BE ENTITLED AN ACT TO ALLOW A PAYROLL DEDUCTION FOR MEMBERS OF THE GENERAL ASSEMBLY FOR CONTRIBUTIONS TO CERTAIN QUALIFIED CHARITABLE ORGANIZATIONS, to the Permanent Subcommittee on Military, Veterans, and Indian Affairs.

H.B. 204, A BILL TO BE ENTITLED AN ACT TO ENSURE REPRESENTATION OF BOTH FOR-PROFIT AND NONPROFIT INSTITUTIONS ON THE STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS, to the Permanent Subcommittee on Boards and Commissions.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Beall:

H.B. 319, A BILL TO BE ENTITLED AN ACT TO AMEND THE BARBERING LAW WITH RESPECT TO THE USE OF STRAIGHT RAZORS, is referred to the Committee on Business and Labor.

By Representatives J. Brown, Bowen, Buchanan, Carpenter, Culp, Davis, Fox, Hill, Locke, Mercer, Tolson, and Yongue:

H.B. 320, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR

IMPROVEMENTS OF THE ROLLINS ANIMAL DISEASE DIAGNOSTIC LABORATORY, is referred to the Committee on Appropriations.

By Representatives J. Brown, Bowen, Buchanan, Carpenter, Culp, Davis, Fox, Hill, Locke, Mercer, Tolson, and Yongue:

H.B. 321, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR INTERNATIONAL AGRICULTURAL MARKETING, is referred to the Committee on Appropriations.

By Representatives J. Brown, Bowen, Buchanan, Carpenter, Culp, Davis, Hill, Locke, Mercer, Tolson, and Yongue:

H.B. 322, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR A GRAIN GRADING TRAINING PROGRAM, is referred to the Committee on Appropriations.

By Representatives J. Brown, Bowen, Buchanan, Carpenter, Culp, Davis, Fox, Hill, Locke, Mercer, Tolson, and Yongue:

H.B. 323, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANSION OF MYCOPLASMA AND BACTERIOLOGY SERVICES, is referred to the Committee on Appropriations.

By Representatives J. Brown, Bowen, Buchanan, Carpenter, Culp, Davis, Fox, Hill, Locke, Mercer, Tolson, and Yongue:

H.B. 324, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR MEAT AND POULTRY INSPECTION, is referred to the Committee on Appropriations.

By Representatives Yongue, Cummings, and Sutton:

H.B. 325, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 561 OF THE 1993 SESSION LAWS TO PROVIDE THAT FUNDS ALLOCATED FOR THE MEADOW BRANCH WATERSHED PROJECT IN ROBESON COUNTY SHALL NOT REVERT, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Brawley, Arnold, Baker, Berry, Bowie, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Eddins, Ellis, Esposito, Gardner, Hayes, Hiatt, Howard, Ives, Justus, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Watson, and C. Wilson:

H.B. 326, A BILL TO BE ENTITLED AN ACT TO RATIFY THE BALANCED BUDGET AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rayfield, Adams, Bowie, J. Brown, Buchanan, Capps, Carpenter, Clary, Culp, Dickson, Earle, Easterling, Eddins, Howard, McMahan, Pate, Sharpe, Snowden, Watson, Weatherly, G. Wilson, and Womble:

H.B. 327, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN INCREASED PENALTY FOR FAILURE TO DIM BEAMS OF HEADLIGHTS AND AUXILIARY DRIVING LAMPS, is referred to the Committee on Transportation.

By Representatives Rayfield, Adams, Bowie, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Dickson, Earle, Easterling, Howard, Lemmond, McLaughlin, McMahan, K. Miller, Pate, Sharpe, Sherrill, Snowden, Watson, Weatherly, G. Wilson, and Womble:

H.B. 328, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR FAILURE TO GIVE WAY TO AN OVERTAKING VEHICLE, is referred to the Committee on Transportation.

By Representatives J. Brown, Robinson, and G. Wilson:

H.B. 329, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE EDWIN H. MCGEE NATURAL RESOURCES CONSERVATION CENTER IN WILKES COUNTY, is referred to the Committee on Appropriations.

By Representatives Womble, Decker, Esposito, Gray, Oldham, and Sexton:

H.B. 330, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, is referred to the Committee on Local and Regional Government II.

By Representatives McCombs, Arnold, Barbee, Brawley, Buchanan, Cansler, Church, Dockham, Gardner, Hill, Howard, Hunt, McCrary, McMahan, G. Miller, Miner, Mitchell, Nichols, Preston, Watson, Weatherly, C. Wilson, and G. Wilson:

H.B. 331, A BILL TO BE ENTITLED AN ACT TO ALLOW DISABLED PERSONS TO APPLY TO THE WILDLIFE RESOURCES COMMISSION FOR HUNTING AND FISHING METHODS EXEMPTIONS TO PROVIDE REASONABLE ACCOMMODATIONS FOR THEIR DISABILITIES, is referred to the Committee on State Government.

By Representatives Linney and Earle:

H.B. 332, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE NURSING HOME PENALTY ASSESSMENT LAW, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Buchanan, Barbee, Morgan, and Thompson:

H.B. 333, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A REGISTER OF DEEDS WHO COMPLETES SERVICE AFTER TEN YEARS OF ELIGIBLE SERVICE AS REGISTER OF DEEDS BUT DOES NOT COMMENCE RETIREMENT FROM THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM MAY RECEIVE A MONTHLY PENSION FROM THE REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND UPON RETIREMENT UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Shaw and Cummings:

H.B. 334, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE RENOVATION AND EXPANSION OF THE RUDOLPH JONES STUDENT CENTER AT FAYETTEVILLE STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Shaw and Cummings:

H.B. 335, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE CONSTRUCTION OF A FINE ARTS BUILDING AT FAYETTEVILLE STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Gardner and Hill:

H.B. 336, A BILL TO BE ENTITLED AN ACT TO ALLOW TRAINERS OF ASSISTANCE DOGS TO BE ACCOMPANIED BY AN ASSISTANCE DOG DURING TRAINING SESSIONS WHEN USING PLACES OF PUBLIC ACCOMMODATION OR COMMON CARRIERS, is referred to the Committee on Welfare Reform and Human Resources.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 162, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE CHANGES MADE IN 1994 TO THE LAWS CONCERNING THE TINTING OF WINDOWS ON MOTOR VEHICLES, is read the first time and referred to the Committee on Transportation.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 3,** A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, REFORMING THE BUDGET PROCESS, ESTABLISHING AN EMERGENCY RESERVE TRUST FUND, AND PROHIBITING UNFUNDED STATE MANDATES.

Representative Braswell offers Amendment No. 1.

Representative Braswell calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 1 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, W. Brown, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, and Yongue - 46.

Voting in the negative: Representatives Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Watson, Weatherly, C. Wilson, and G. Wilson - 64.

Excused absences: Representatives Aldridge, Bowen, Ramsey, and Wright - 4.

Representative Luebke offers Amendment No. 2.

Representative Luebke calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 2 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, W. Brown, Church, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, and Yongue - 48.

Voting in the negative: Representatives Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady,

Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 65.

Excused absences: Representatives Aldridge, Bowen, Ramsey, and Wright - 4.

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (94-20).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Allred, Arnold, Baker, Barbee, Berry, Black, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Wood - 93.

Voting in the negative: Representatives Alexander, Barnes, Beall, Blue, Braswell, Cunningham, Easterling, Fitch, Hackney, Hensley, Hightower, H. Hunter, Lee, Luebke, Michaux, G. Miller, Nye, Oldham, Shaw, Sutton, Wainwright, and Yongue - 22.

Excused absences: Representatives Aldridge, Bowen, Ramsey, and Wright - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 7,** A BILL TO BE ENTITLED AN ACT TO RESTORE CONSTITUTIONAL POWERS TO THE STATE BOARD OF EDUCATION AND TO MAKE CONFORMING AND TECHNICAL

CHANGES.

Representative Barnes calls for the "ayes" and "noes", on the bill and requests that the vote be spread upon the Journal. The Speaker so orders.

Representative Barnes offers Amendment No. 1.

Representative Barnes calls for the "ayes" and "noes" and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 1 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, and Yongue - 48.

Voting in the negative: Representatives Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 63.

Excused absences: Representatives Aldridge, Bowen, Ramsey, and Wright - 4.

Representative Warner offers Amendment No. 2.

Representative Warner calls for the "ayes" and "noes" and requests that the vote be spread upon the Journal. The Speaker so orders.

Representative Warner calls the previous question on the amendment and the call is sustained by electronic vote (103-8).

Amendment No. 2 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Redwine, Richardson, Shaw, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, Wood, and Yongue - 47.

Voting in the negative: Representatives Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Grady, Gray, Hayes, Hiatt, Holmes, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Weatherly, C. Wilson, and G. Wilson - 61.

Excused absences: Representatives Aldridge, Bowen, Ramsey, and Wright - 4.

Representative Russell calls the previous question on the passage of the bill and the call is sustained by electronic vote (87-22).

The bill passes its second reading by the following vote.

Those voting in the affirmative are: Speaker Brubaker; Representatives Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Warner, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 68.

Voting in the negative: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, W. Brown, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, Lee, Locke, Luebke, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Redwine, Richardson, Rogers,

Shaw, Sutton, Tolson, Wainwright, Wilkins, Womble, and Yongue - 43.

Excused absences: Representatives Aldridge, Bowen, Ramsey, and Wright - 4.

Representative Michaux objects to the third reading. The bill remains on the Calendar.

REPORT OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Miner for the Committee on Transportation:

H.B. 134, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE MOTOR VEHICLE LAWS AND OTHER LAWS CONCERNING THE DEPARTMENT OF TRANSPORTATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary I.

The committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative Creech, Co-Chair for the Standing Committee on Appropriations, refers:

Committee Substitute for **H.B. 4,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE PRISON POPULATION CAP, TO RAISE THE LIMIT ON PRISON CAPACITY, TO AUTHORIZE THE PAROLE OF NONVIOLENT INMATES, TO AUTHORIZE CERTAIN CONTRACTS FOR THE HOUSING OF STATE PRISONERS IN LOCAL CONFINEMENT FACILITIES, TO ALLOW FOR THE CONTRACTING OF PRIVATE PRISONS, TO REMOVE THE LIMIT ON PRISONERS WHO MAY BE HOUSED IN NON-STATE OWNED FACILITIES, TO REMOVE THE SUNSET ON CONTRACTS WITH OUT-OF-STATE PUBLIC CORRECTIONAL FACILITIES, AND TO ALLOW THE DEPARTMENT TO USE AVAILABLE FUNDS TO PROVIDE ADDITIONAL PRISON

BEDS AND EMPLOY NECESSARY STAFF, to the Permanent Subcommittee on Justice and Public Safety.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 236, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SENATOR JOHN BONNELL CODINGTON, MD., is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Decker, the House adjourns at 4:17 p.m. to reconvene March 2 at 1:30 p.m.

TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, March 2, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Father, which art in Heaven hallowed be Thy name. Thank You for another week of service in this government of the people, by the people and for the people. Thank You for the fine young people who have served as Pages this week, and for our support staff upon whom we lean so heavily. As we work today, may Your invisible hand be manifest in every decision, and then take us safely to our homes and families for a weekend in which we shall be strengthened in worship, renewed in fellowship and refreshed in love. Through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 1 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (97-0).

Leaves of absence are granted Representatives Aldridge, Dickson, and Ramsey for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Reynolds, Vice Chair, for the Committee on Public Utilities:

H.B. 161, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE PUBLIC WITH ACCESS TO LOW-COST TELECOMMUNICATIONS SERVICE IN A CHANGING COMPETITIVE ENVIRONMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

H.B. 127, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 205, A BILL TO BE ENTITLED AN ACT TO ADD BURKE, CALDWELL, AND MCDOWELL COUNTIES TO THOSE COUNTIES REQUIRING THAT ALL VESSELS CARRY PERSONAL FLOTATION DEVICES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 279, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STATE FACILITIES ENERGY CONSERVATION PROGRAM; TO AUTHORIZE THE DEPARTMENT OF ADMINISTRATION TO ENTER INTO ALTERNATIVE FINANCING AGREEMENTS FOR THE PURCHASE OF ENERGY CONSERVATION PROJECTS; AND TO AUTHORIZE THE ISSUANCE OF BONDS THAT ARE SECURED BY AN INTEREST IN THE PROPERTY PURCHASED, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Ives:

H.B. 337, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTROLLED ACCESS COMMUNITY FISHING LICENSES IN TRANSYLVANIA COUNTY, is referred to the Committee on Local and Regional Government I.

By Representative Beall:

H.B. 338, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SEAT BELTS WILL BE INSPECTED AS PART OF THE ANNUAL MOTOR VEHICLE SAFETY INSPECTION, is referred to the Committee on Transportation.

By Representative Morgan:

H.B. 339, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SEVEN LAKES COMMUNITY IN MOORE COUNTY, is referred to the Committee on Local and Regional Government I.

By Representative Robinson:

H.B. 340, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INDIVIDUAL WHO IS UNABLE TO PASS A DRUG TEST IS INELIGIBLE FOR UNEMPLOYMENT BENEFITS UNDER CERTAIN

CIRCUMSTANCES, is referred to the Committee on Business and Labor.

By Representatives Robinson and Buchanan:

H.B. 341, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REQUIREMENTS FOR INDIVIDUALS TO REPORT WORK SEARCH EFFORTS IN ORDER TO REMAIN ELIGIBLE FOR UNEMPLOYMENT BENEFITS, is referred to the Committee on Business and Labor.

By Representative Lee:

H.B. 342, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ROCKINGHAM TO MAKE SATELLITE ANNEXATIONS OF LESS THAN AN ENTIRE SUBDIVISION WHEN THE PROPERTY IS DEVELOPED FOR COMMERCIAL OR INDUSTRIAL USE, is referred to the Committee on Local and Regional Government II.

By Representative Hightower:

H.B. 343, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW ON HUNTING WITH DOGS IN ANSON COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Redwine, Buchanan, Hill, Pate, and Sutton:

H.B. 344, A BILL TO BE ENTITLED AN ACT TO ALLOW ADDITIONAL RETROACTIVE MEMBERSHIP IN THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Pensions and Retirement.

By Representatives Redwine and Hill:

H.B. 345, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF YAUPON BEACH TO CREATE A SEA TURTLE SANCTUARY, is referred to the Committee on Local and Regional Government II.

By Representatives Hightower, J. Brown, and Buchanan:

H.B. 346, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW MOTOR FUELS LABORATORY AND FOR IMPROVEMENT OF THE WEIGHTS AND MEASURES PROGRAM, is

referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Hill, Allred, Buchanan, Church, Fox, R. Hunter, Hurley, Locke, Pate, Sexton, and Weatherly:

H.B. 347, A BILL TO BE ENTITLED AN ACT TO ALLOW A PERCENTAGE DISCOUNT TO MERCHANTS FOR COLLECTING STATE SALES AND USE TAXES, is referred to the Committee on Finance.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 247, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE EXEMPTION FROM CAMPAIGN CONTRIBUTION LIMITS FOR GIFTS TO AND BY A POLITICAL PARTY EXECUTIVE COMMITTEE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 146, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LUMBERTON TO ENACT ORDINANCES REGULATING THE TOWING OF MOTOR VEHICLES THAT HAVE BEEN ABANDONED AND ARE NOT COVERED BY FINANCIAL RESPONSIBILITY.

On motion of Representative Cummings, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 3,** A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND

PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, REFORMING THE BUDGET PROCESS, ESTABLISHING AN EMERGENCY RESERVE TRUST FUND, AND PROHIBITING UNFUNDED STATE MANDATES.

Representative R. Hunter offers Amendment No. 3.

Representative R. Hunter calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

Representative R. Hunter inquires of the Chair if, pursuant to Rule 24.1B, Amendment No. 3 may be divided. The Speaker rules that it may.

On motion of Representative R. Hunter, Amendment No. 3 is divided into parts A and B by electronic vote (81-31).

Amendment No. 3A fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Decker, Earle, Easterling, Ellis, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, R. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, Wright, and Yongue - 53.

Voting in the negative: Representatives Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Dockham, Eddins, Edwards, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 62.

Excused absences: Representatives Aldridge, Dickson, and Ramsey - 3.

Amendment No. 3B fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander,

Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Church, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, R. Hunter, Hurley, Lee, Linney, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, Wright, and Yongue - 50.

Voting in the negative: Representatives Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 64.

Excused absences: Representatives Aldridge, Dickson, and Ramsey - 3.

Representative G. Miller offers Amendment No. 4.

Representative G. Miller calls for the "ayes" and "noes" and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 4 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, R. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Preston, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, Wright, and Yongue - 51.

Voting in the negative: Representatives Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert,

Snowden, Tallent, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 62.

Excused absences: Representatives Aldridge, Dickson, and Ramsey - 3.

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (99-16).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Allred, Arnold, Baker, Barbee, Berry, Black, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dockham, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 94.

Voting in the negative: Representatives Adams, Alexander, Barnes, Beall, Blue, Boyd-McIntyre, Braswell, Cunningham, Earle, Easterling, Fitch, Hackney, Hensley, Hightower, Lee, Luebke, Michaux, G. Miller, Oldham, Shaw, Womble, and Wright - 22.

Excused absences: Representatives Aldridge, Dickson, and Ramsey - 3.

Committee Substitute for **H.B. 7,** A BILL TO BE ENTITLED AN ACT TO RESTORE CONSTITUTIONAL POWERS TO THE STATE BOARD OF EDUCATION AND TO MAKE CONFORMING AND TECHNICAL CHANGES.

Representative Locke moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Education.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (88-22).

The motion to re-refer the bill to the Committee on Education fails by electronic vote (47-64).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (88-25).

The bill passes its third reading, by electronic vote (70-43), and is ordered sent to the Senate.

RE-REFERRAL

On motion of Representative Morgan, pursuant to Rule 39.2, **H.B. 50,** A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ROLE OF OPTOMETRISTS IN MEDICAL COST CONTAINMENT THROUGH REVISION OF THE HOSPITAL PRIVILEGES LAW, TO REPEAL THE REQUIREMENT FOR AN OPTOMETRIST TO COLLABORATE WITH A PHYSICIAN IN THE USE OR PRESCRIPTION OF CERTAIN PHARMACEUTICAL AGENTS, TO ESTABLISH PEER REVIEW FOR OPTOMETRISTS, AND TO ESTABLISH AN OPTOMETRIST PRIVILEGE, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary I.

CONFERENCE REPORT

Representative Daughtry sends forth the Conference Report on House Committee Substitute for **S.B. 3,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of March 7.

On motion of Representative Esposito, seconded by Representative Decker, the House adjourns at 3:49 p.m. in honor of Police Officer Stephen L. Amos, II, of Forsyth County, who died in the line of duty, to reconvene Monday, March 6, 1995, at 7:00 p.m.

TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, March 6, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, thank You for the weekend that we have shared with family and friends, and now thank You for Your kind providence which permits us to be back together to fulfill Your purposes through us as members of this House of Representatives. Bless in continued recovery Representatives Aldridge and Ramsey, and as we turn to our tasks may we search out with incisive precision the merits of each bill before us, being ever reminded of our ultimate accountability to You. Through Christ our Lord we pray. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 2 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (88-1).

Leaves of absence are granted Representatives Aldridge, Alexander, Esposito, Gamble, Sexton, and Sutton for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Edwards for the Committee on State Government:

H.B. 184, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF SELF-INSURANCE TRUST FUNDS TO PROVIDE PROFESSIONAL LIABILITY INSURANCE COVERAGE FOR STATE EMPLOYEES AND TO APPROPRIATE FUNDS TO A RESERVE FUND TO PROVIDE THE INITIAL FUNDING IF THE TRUST IS CREATED, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives Thompson and Justus for the Permanent Subcommittee on Justice and Public Safety of the Standing Committee on Appropriations:

Committee Substitute for **H.B. 4,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE PRISON POPULATION CAP, TO RAISE THE LIMIT ON PRISON CAPACITY, TO AUTHORIZE THE PAROLE OF NONVIOLENT INMATES, TO AUTHORIZE CERTAIN CONTRACTS FOR THE HOUSING OF STATE PRISONERS IN LOCAL CONFINEMENT FACILITIES, TO ALLOW FOR THE CONTRACTING OF PRIVATE PRISONS, TO REMOVE THE LIMIT ON PRISONERS WHO MAY BE HOUSED IN NON-STATE OWNED FACILITIES, TO REMOVE THE SUNSET ON CONTRACTS WITH OUT-OF-STATE PUBLIC CORRECTIONAL FACILITIES, AND TO ALLOW THE DEPARTMENT TO USE AVAILABLE FUNDS TO PROVIDE ADDITIONAL PRISON BEDS AND EMPLOY NECESSARY STAFF, reported to the Standing Committee on Appropriations with a favorable recommendation as to Proposed Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Gamble:

H.J.R. 348, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE NEED FOR A CORPORATE ALTERNATIVE MINIMUM TAX, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McMahan, Allred, Barbee, J. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Cummings, Davis, Decker, Dickson, Eddins, Grady, Hayes, Justus, Kiser, Lemmond, Linney, McComas, K. Miller, Nichols, Owens, Pate, Preston, Pulley, Reynolds, Russell, Sexton, Sharpe, Sherrill, Shubert, and G. Wilson:

H.B. 349, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR

SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF PROFESSIONAL SPORTS TEAMS, is referred to the Committee on Transportation.

By Representatives Gardner, Alexander, and Culp:

H.B. 350, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REQUESTING AGENCY TO COMPENSATE THE INTERPRETERS FOR THE DEAF IN CERTAIN JUDICIAL, LEGISLATIVE, AND ADMINISTRATIVE PROCEEDINGS, is referred to the Committee on State Government.

By Representative Gardner:

H.B. 351, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUING EDUCATION REQUIREMENTS FOR CERTAIN INSURANCE AGENTS AND BROKERS, is referred to the Committee on Insurance.

By Representatives Wood, Culp, and Mercer:

H.B. 352, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EARLIER DATE FOR THE PRESIDENTIAL PRIMARY, is referred to the Committee on Judiciary I.

By Representatives Hackney, Bowie, Robinson, and Wainwright (Co-Sponsors); Capps, Cocklereece, Shubert, and Thompson:

H.B. 353, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED, is referred to the Committee on Judiciary II.

By Representatives Culp, Barbee, and J. Brown:

H.B. 354, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA HOUSING TRUST FUND, is referred to the Committee on Appropriations.

By Representatives Culp and J. Brown:

H.B. 355, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANSION

AND IMPROVEMENT OF THE DEPARTMENT'S IRRIGATION WATER ANALYSIS AND ADVISORY SERVICE, is referred to the Committee on Appropriations.

By Representatives Culp and J. Brown:

H.B. 356, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANDING THE ANIMAL WASTE MANAGEMENT ADVISORY SERVICES, is referred to the Committee on Appropriations.

By Representatives Kiser, Baker, J. Brown, Capps, Carpenter, Clary, Cocklereece, Culp, Decker, Neely, Pate, Pulley, Rayfield, Sharpe, Shubert, Snowden, Thompson, Weatherly, and G. Wilson:

H.B. 357, A BILL TO BE ENTITLED AN ACT TO REPEAL PROVISIONS OF THE GENERAL STATUTES AUTHORIZING THE DEPARTMENT OF CORRECTION TO INSPECT MINES IN WHICH CONVICTS ARE EMPLOYED AND REQUIRING THE DEPARTMENT TO ESTABLISH A REVOLVING FUND FOR LOANS TO PRISONERS, is referred to the Committee on Judiciary II.

By Representative Gardner:

H.B. 358, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE TIME PERIOD WITHIN WHICH UNSOLICITED AUTOMATIC DIALING AND RECORDED MESSAGES MAY BE MADE BY PHONE, is referred to the Committee on Public Utilities.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 118, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT UNPAID VOLUNTEER MEDICAL DIRECTORS FOR EMERGENCY MEDICAL SERVICES (EMS) AGENCIES ARE COVERED BY THE GOOD SAMARITAN STATUTE, is read the first time and referred to the Committee on Judiciary I.

S.B. 207, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BOND REQUIREMENTS FOR PUBLIC UTILITIES PROVIDING WATER OR SEWER SERVICES AS RECOMMENDED BY THE JOINT

LEGISLATIVE UTILITY REVIEW COMMITTEE, is read the first time and referred to the Committee on Public Utilities.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 115, A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPOINTMENT OF THE HALIFAX ABC BOARD AND TO PROVIDE THAT DISTRIBUTION OF REVENUE SHALL BE ACCORDING TO GENERAL STATUTE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 55,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SALES TAX PREFERENCES FOR AGRICULTURE APPLY TO AQUACULTURE.

Representative Baker offers Amendment No. 1.

Representative Luebke inquires of the Chair if the amendment is germane to the title. The Chair rules that a title change is unnecessary.

Amendment No. 1 is adopted by electronic vote (105-0).

The bill, as amended, passes its second reading by electronic vote (107-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 127, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES.

Representative Hensley offers Amendment No. 1 which is adopted by electronic vote (106-0).

Representative Allred states that his voting equipment malfunctioned and requests to be recorded as voting "aye" on Amendment No. 1. Permission is granted and the adjusted vote total is (107-0).

Representative Wainwright offers Amendment No. 2.

Representative Wainwright withdraws Amendment No. 2.

The bill, as amended, passes its second reading by electronic vote (103-6).

Representative Neely objects to the third reading. The bill remains on the Calendar.

INTRODUCTION OF PAGES

Pages for the week of March 6-10 are introduced to the membership. They are: Robin Brown of Forsyth; Kristine Bushnell of Cabarrus; Melissa Carroll of Yadkin; Elizabeth Cox of Guilford; DeAndrea Davis of Mecklenburg; Brandi Elpers of Carteret; Caroline Fagg of Forsyth; Tiffany Finch of Wake; Akisha Gowans of Cleveland; Ashley Harris of Alexander; Sarah Harris of Forsyth; Meesha Marshall of Craven; Denise Mitchell of Randolph; Christy Newton of Cleveland; Sharon Qualls of Cumberland; Emmanuelle Quenum of Cumberland; Barbara Seagraves of Gaston; Kathleen Stewart of Orange; Jennifer Tart of Harnett; Katherine Thigpen of Lenoir; Arthia White of Gaston; Michelle Williams of Duplin; Angela Williams of Lenoir. All pages this week are serving in honor of Girl Scout Week.

RE-REFERRAL

On motion of Representative Neely and without objection, Committee Substitute for **S.B. 27,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE PRISON POPULATION CAP, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Appropriations.

On motion on Representative Morgan, seconded by Representative Dockham, the House adjourns at 7:46 p.m. to reconvene March 7 at 1:30 p.m.

TWENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, thank You for this day and for this time to pause in acknowledgment of our dependence upon Thee. Thank You for the privilege of being citizens of this great state and for the opportunity and grave responsibility placed upon us by the people within our districts. This responsibility we do not take lightly, but re-commit ourselves each day to the job that is ours knowing full well that our decisions affect profoundly the lives of thousands of other people for good or for ill. So, guide us Father we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 6 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (98-0).

Leaves of absence are granted Representatives Aldridge, Alexander, Sharpe, and G. Wilson for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 197, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF ROSEBORO, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for

March 8.

H.B. 339, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SEVEN LAKES COMMUNITY IN MOORE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 8.

S.B. 133, A BILL TO BE ENTITLED AN ACT TO ALLOW GRAHAM COUNTY AND MACON COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES AND TO MAKE IT A MISDEMEANOR TO OBTAIN AMBULANCE SERVICES WITHOUT INTENT TO PAY OR TO MAKE AN UNNEEDED AMBULANCE REQUEST IN GRAHAM COUNTY AND POLK COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 153, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENTS THAT GRANITE FALLS ABC STORES BE AUDITED QUARTERLY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Wood for the Committee on Education:

H.B. 224, A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF CLASS-SIZE WAIVERS IN THE K-3 GRADES, with a favorable report.

On motion of Representative Wood and without objection, the bill is re-referred to the Committee on Appropriations, Subcommittee on Education.

S.B. 63, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL BOARDS TO PROVIDE THE NORTH CAROLINA HISTORICAL COMMISSION WITH NOTICE OF PLANS TO REPLACE OLD SCHOOL BUILDINGS BY SUBMITTING THE FEASIBILITY AND COST ANALYSES FOR REVIEW BY THE COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 8.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

H.B. 336, A BILL TO BE ENTITLED AN ACT TO ALLOW TRAINERS OF ASSISTANCE DOGS TO BE ACCOMPANIED BY AN ASSISTANCE DOG DURING TRAINING SESSIONS WHEN USING PLACES OF PUBLIC ACCOMMODATION OR COMMON CARRIERS, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar for March 9.

CONFERENCE REPORT

Representative Wood sends forth the Conference Report on House Committee Substitute for **S.B. 16,** A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN FOR THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC INSTRUCTION. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of March 8.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Wainwright, Nichols, and Edwards:

H.B. 359, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CRAVEN COUNTY TO ASSIST WITH EXPENSES OF A PILOT PROJECT TO DEVELOP ON-SITE ALTERNATIVE SEWAGE TREATMENT SYSTEMS AND MANAGEMENT SCHEMES FOR THOSE SYSTEMS, is referred to the Committee on Appropriations.

By Representative Black:

H.B. 360, A BILL TO BE ENTITLED AN ACT TO EXEMPT RAILROADS FROM PAYMENT OF SALES TAX ON DIESEL FUEL USED BY LOCOMOTIVES AND RAILROAD CARS, is referred to the Committee on Finance.

By Representatives Robinson, Buchanan, Sexton, and Thompson:

H.B. 361, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO PLEDGE BLOCK GRANT FUNDS AS LOAN GUARANTEES PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT, is referred to the Committee on Business and Labor.

By Representatives Fitch, Blue, Boyd-McIntyre, Buchanan, Cummings, Cunningham, Gardner, H. Hunter, Linney, McAllister, Michaux, Miner, Oldham, Preston, Shubert, Thompson, Wainwright, Womble, and Wright:

H.B. 362, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MENTALLY RETARDED PERSON CONVICTED OF FIRST DEGREE MURDER SHALL NOT BE SENTENCED TO DEATH, is referred to the Committee on Judiciary II.

By Representatives Fitch, Buchanan, and Tolson:

H.B. 363, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMPLETION OF THE STUDENT ACTIVITY CENTER AT THE EASTERN SCHOOL FOR THE DEAF, is referred to the Committee on Appropriations.

By Representatives Fitch, Buchanan, and Tolson:

H.B. 364, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ALZHEIMER'S UNIT AT THE NORTH CAROLINA SPECIAL CARE CENTER IN WILSON, is referred to the Committee on Appropriations.

By Representatives Allred, Aldridge, Arnold, Baker, Berry, Black, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Cummings, Davis, Decker, Dockham, Eddins, Esposito, Fox, Gardner, Grady, Hayes, Hiatt, Hill, Holmes, Howard, Justus, Kiser, Linney, Locke, McCombs, McMahan, K. Miller, Miner, Mitchell, Nichols, Owens, Pate, Pulley, Rayfield, Reynolds, Robinson, Sexton, Sharpe, Shubert, Snowden, Thompson, Tolson, Watson, Wilkins, G. Wilson, Wood, and Yongue:

H.B. 365, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENTS THAT A CORPORATION AND A NONPROFIT CORPORATION FILE AN ANNUAL REPORT WITH AND PAY AN ANNUAL REPORT FILING FEE TO THE OFFICE OF THE SECRETARY

OF STATE, is referred to the Committee on Finance.

By Representatives R. Hunter, Beall, Buchanan, Culpepper, and Ramsey:

H.B. 366, A BILL TO BE ENTITLED AN ACT TO DIRECT THE UTILITIES COMMISSION TO ISSUE CERTIFICATES OF CONVENIENCE AND NECESSITY FOR NATURAL GAS SERVICE FOR ALL AREAS OF THE STATE FOR WHICH CERTIFICATES HAVE NOT BEEN ISSUED, is referred to the Committee on Public Utilities.

By Representatives Warner, Alexander, Black, Buchanan, Church, Crawford, Culpepper, Hensley, Hightower, Hunt, R. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, Mercer, Michaux, Oldham, Owens, Rogers, Tolson, Wilkins, and Yongue:

H.B. 367, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS FOR THE NORTH CAROLINA LAW ENFORCEMENT HALL OF HONOR, is referred to the Committee on Appropriations.

By Representatives Warner, Beall, Buchanan, Capps, Carpenter, Clary, Cocklereece, Cummings, Davis, Eddins, Ellis, Grady, Kiser, Locke, McAllister, McCrary, McMahan, Morgan, Nichols, Oldham, Pate, Rayfield, Reynolds, Sexton, Shubert, Snowden, Sutton, Thompson, and Weatherly:

H.B. 368, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN ADDITION TO ANY OTHER PENALTY A PERSON SELLING OR GIVING ALCOHOL TO AN UNDERAGE PERSON SHALL HAVE HIS DRIVERS LICENSE SUSPENDED FOR ONE YEAR, is referred to the Committee on Judiciary I.

By Representative Warner:

H.B. 369, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A RISK-SHARING PLAN TO PROVIDE INSURANCE COVERAGE FOR AMUSEMENT DEVICES, is referred to the Committee on Insurance.

By Representative Nichols:

H.B. 370, A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY

ANNEXATIONS, is referred to the Committee on Local and Regional Government I.

By Representatives Gamble, Capps, Gardner, Lee, Neely, Pate, Rayfield, and Russell:

H.B. 371, A BILL TO BE ENTITLED AN ACT TO REDUCE THE COMPENSATION AND EXPENSE ALLOWANCES OF MEMBERS OF THE GENERAL ASSEMBLY AND TO PROVIDE THAT EXPENSE ALLOWANCES ARE NOT INCLUDED IN THE BASE FOR CALCULATING LEGISLATIVE RETIREMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ramsey and Beall:

H.B. 372, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MADISON COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE IN JULY OF THE YEAR OF THEIR ELECTION, is referred to the Committee on Local and Regional Government II.

By Representative Culpepper:

H.B. 373, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES, is referred to the Committee on Local and Regional Government II.

By Representatives Owens and Buchanan:

H.B. 374, A BILL TO BE ENTITLED AN ACT TO AMEND THE EXTENSION OF BEAR HUNTING SEASON IN PASQUOTANK AND CAMDEN COUNTIES AND TO INCLUDE CURRITUCK COUNTY IN THAT EXTENSION OF THE SEASON, is referred to the Committee on Local and Regional Government II.

By Representatives Richardson, Justus, and Thompson:

H.B. 375, A BILL TO BE ENTITLED AN ACT TO REMOVE THE LIMITATION ON FUNDING FOR THE PER DIEM COSTS OF INMATES HOUSED OUT-OF-STATE, is referred to the Committee on Appropriations.

By Representatives McCombs, Buchanan, and Thompson:

H.B. 376, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE RETIREMENT BENEFITS PAYABLE FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND TO PROVIDE FOR THE FUNDING OF THE BENEFITS AND FOR THE FUNDING OF THE DISABILITY INCOME PLAN FOR TEACHERS AND STATE EMPLOYEES, is referred to the Committee on Pensions and Retirement.

By Representatives Lemmond, Cunningham, Earle, Easterling, McLaughlin, McMahan, and C. Wilson:

H.B. 377, A BILL TO BE ENTITLED AN ACT TO TRANSFER TO THE CHARLOTTE DEPARTMENT OF TRANSPORTATION THE AUTHORITY TO APPROVE CHANGES TO STREET NAMES WITHIN THAT CITY, is referred to the Committee on Local and Regional Government I.

By Representative Nye:

H.B. 378, A BILL TO BE ENTITLED AN ACT TO RESOLVE POSSIBLE CONFLICT IN LAWS REGARDING TEMPORARY MANAGEMENT OF LONG-TERM CARE FACILITIES AND STATE/COUNTY SPECIAL ASSISTANCE FOR ADULTS, is referred to the Committee on Welfare Reform and Human Resources.

By Representative Nye:

H.B. 379, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PENALTY FOR TRANSFER OF ASSETS IN THE STATE/COUNTY SPECIAL ASSISTANCE TO ADULTS PROGRAM, is referred to the Committee on Appropriations.

By Representative Nye:

H.B. 380, A BILL TO BE ENTITLED AN ACT TO REPEAL THE TWELVE THOUSAND DOLLAR EXCLUSION LIMITATION ON CERTAIN PROPERTY FOR PURPOSES OF DETERMINING ELIGIBILITY FOR THE STATE/COUNTY SPECIAL ASSISTANCE TO ADULTS PROGRAM, is referred to the Committee on Welfare Reform and Human Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 146,** A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA SEED LAW, is read the first time and referred to the Committee on Agriculture.

S.J.R. 225, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 232, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE ONSLOW COUNTY BOARD OF ALCOHOL CONTROL TO SERVE THREE CONSECUTIVE TERMS, is read the first time and referred to the Committee on Local and Regional Government II.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Daughtry moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 3

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 3, AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO, Second Edition 2/8/95, submit the following report:

That the Senate concurs in the House Committee Substitute for Senate Bill 3, Second Edition 2/8/95, with the following amendments:

on page 1, line 13, by rewriting the line to read:
"house and shall be signed by the presiding officer of each house"; and

on page 2, line 11, by rewriting the line to read:
"other matter, shall be read three times in each house before it becomes law, and shall be"; and

on page 2, lines 34 through 43, by rewriting the lines to read:

"(a) Would extend the application of a law signed by the presiding officers during that two year term of the General Assembly so that the law would apply in more than half the counties in the State, or

(b) Would enact a law identical in effect to another law or laws signed by the presiding officers during that two year term of the General Assembly that the result of those laws taken together would be a law applying in more than half the counties in the State. Notwithstanding any other language in this".

The House agrees to the same.

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: March 2, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Roy A. Cooper, III	S/ N. Leo Daughtry
S/ Betsy L. Cochrane	S/ John M. Nichols
S/ William N. Martin	S/ James B. Black

The Conference Report is adopted on its second reading by the following vote.

Those voting in the affirmative are: Speaker Brubaker; Representatives Allred, Arnold, Baker, Barbee, Berry, Black, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McComas, McCombs,

McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Snowden, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, and Yongue - 96.

Voting in the negative: Representatives Adams, Barnes, Beall, Blue, Braswell, Crawford, Culpepper, Easterling, Fitch, Hackney, Hensley, Hightower, Hunt, H. Hunter, R. Hunter, Luebke, McAllister, Michaux, and Wright - 19.

Excused absences: Representatives Aldridge, Alexander, Sharpe, and G. Wilson - 4.

The Conference Report is adopted on its third reading, by the following vote, and the Senate is so notified by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Allred, Arnold, Baker, Barbee, Berry, Black, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Snowden, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, and Yongue - 97.

Voting in the negative: Representatives Adams, Barnes, Beall, Blue, Braswell, Crawford, Culpepper, Easterling, Fitch, Hackney, Hensley, Hightower, Hunt, H. Hunter, R. Hunter, Luebke, Michaux, and Wright - 18.

Excused absences: Representatives Aldridge, Alexander, Sharpe, and G. Wilson - 4.

H.B. 127, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL

PURPOSES.

Representative Wainwright offers Amendment No. 3.

On motion of the Chair and without objection, the bill and pending Amendment No. 3 are temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 205,** A BILL TO BE ENTITLED AN ACT TO ADD ALEXANDER, BURKE, CALDWELL, AND MCDOWELL COUNTIES TO THOSE COUNTIES REQUIRING THAT ALL VESSELS CARRY PERSONAL FLOTATION DEVICES, passes its second reading, by electronic vote (112-1), and there being no objections is read a third time.

The bill passes its third reading, by electronic vote (111-1), and is ordered sent to the Senate.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
March 7, 1995

Mr. Speaker:

On **S.B. 3** (House Committee Substitute), A BILL TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

WITHDRAWAL OF BILL FROM CALENDAR

On motion of the Chair and without objection, **H.B. 127,** A BILL TO BE

ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES, along with pending Amendment No. 3, is withdrawn from the Calendar and placed on the Calendar of March 8.

On motion of Representative Morgan, seconded by Representative Clary, the House adjourns at 2:45 p.m. to reconvene March 8 at 1:30 p.m.

TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 8, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, we pause that You may be honored in our hearts today. Thank You for these fine and capable men and women who make up this House. They all know the value of ideals and the need for constant guidance, and so for ourselves we pray:

'I would be true for there are those who trust me;
I would be pure for there are those who care;
I would be strong for there is much to suffer;
I would be brave for there is much to dare.'

In Thy name we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 7 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-0).

Leaves of absence are granted Representatives Aldridge and Decker for today.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 3, AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO. (CHAPTER 5)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Miner for the Committee on Transportation:

S.B. 152, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY FOR THE NONBETTERMENT RELOCATION OF SANITARY DISTRICT UTILITIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 162, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE CHANGES MADE IN 1994 TO THE LAWS CONCERNING THE TINTING OF WINDOWS ON MOTOR VEHICLES, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Robinson for the Committee on Business and Labor:

H.B. 63, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SPECIALTY LICENSE FOR TRANSPORT REFRIGERATION CONTRACTORS, TO CHANGE THE COMPOSITION OF THE LICENSING BOARD, TO INCREASE THE RENEWAL FEE, AND TO AMEND OTHER PROVISIONS OF THE LAW GOVERNING REFRIGERATION CONTRACTORS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance.

The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

S.B. 8, A BILL TO BE ENTITLED AN ACT TO REPEAL THE INTANGIBLES TAX AND TO REIMBURSE LOCAL GOVERNMENTS FOR THEIR RESULTING REVENUE LOSS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 191, A BILL TO BE ENTITLED AN ACT TO REQUIRE A FISCAL NOTE FOR ALL PROPOSED RULES THAT HAVE A SUBSTANTIAL ECONOMIC IMPACT AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS REQUIREMENT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Kiser, Vice Chair, for the Committee on Local and Regional Government II:

H.B. 178, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SCOTLAND COUNTY AND THE CITIES LOCATED IN THAT COUNTY MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 9.

H.B. 188, A BILL TO BE ENTITLED AN ACT TO EXTEND TO THE CITY OF LUMBERTON PROVISIONS OF A LOCAL ACT WHICH PROVIDE THAT SERVICE IN HOUSING CODE CASES IS SUFFICIENT WHEN A REGULAR LETTER IS SENT OUT ALONG WITH A REGISTERED OR CERTIFIED LETTER, AND THE REGULAR LETTER IS NOT RETURNED, BUT THE REGISTERED OR CERTIFIED MAIL IS UNCLAIMED OR REFUSED, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 9.

H.B. 208, A BILL TO BE ENTITLED AN ACT TO ALLOW JACKSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report.

On motion of Representative Kiser and without objection, the bill is re-referred to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Miner:

H.B. 381, A BILL TO BE ENTITLED AN ACT TO GRANT THE TOWN OF APEX A TEMPORARY EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED, is referred to the Committee on Local and Regional Government I.

By Representatives Wood, Buchanan, Cocklereece, Culp, Decker, Eddins, Justus, Lemmond, K. Miller, Pulley, and Sharpe:

H.B. 382, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REPORTING OF ENDORSEMENTS BY THE MEDIA AS INDEPENDENT CAMPAIGN EXPENDITURES, is referred to the Committee on Judiciary II.

By Representative Culpepper:

H.B. 383, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT THE DARE COUNTY BOARD OF COMMISSIONERS LEVY TAXES ON BEHALF OF THE DUCK AREA BEAUTIFICATION DISTRICT, WHICH IS A SPECIAL DISTRICT ESTABLISHED UNDER ARTICLE VII OF THE CONSTITUTION, NOT A SPECIAL TAX AREA, is referred to the Committee on Local and Regional Government II.

By Representatives Rogers, J. Brown, Buchanan, Fox, Hill, Owens, Tolson, and Watson:

H.B. 384, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE BIOLOGICAL PEST CONTROL PROGRAM WITHIN THE DEPARTMENT OF AGRICULTURE, is referred to the Committee on Appropriations.

By Representative Rogers:

H.B. 385, A BILL TO BE ENTITLED AN ACT TO PROVIDE COUNTIES WITH INFORMATION TO ENABLE THEM TO VERIFY CLAIMS FOR REFUNDS OF THEIR LOCAL SALES AND USE TAX, is referred to the Committee on State Government.

By Representative Lemmond:

H.B. 386, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A LOCAL FORENSIC EXAMINATION BE MADE OF A DEFENDANT WHOSE CAPACITY TO PROCEED TO TRIAL IS QUESTIONED BEFORE A STATE EVALUATION MAY BE ORDERED AND TO MODIFY THE AUTHORITY OF THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO RESTRICT THE RIGHTS OF CLIENTS AT THE PRETRIAL EVALUATION CENTER AT DOROTHEA DIX, is referred to the Committee on Judiciary II.

By Representatives Sharpe, Allred, Arnold, Berry, Brawley, J. Brown, Cansler, Capps, Cocklereece, Davis, Hill, Howard, Justus, McCombs, McMahan, Morgan, Robinson, Russell, and Tallent:

H.B. 387, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR THE OFFENSE OF COMMON-LAW ROBBERY, is referred to the Committee on Judiciary II.

By Representatives Robinson, Barbee, Beall, Berry, J. Brown, Buchanan, Carpenter, Church, Cocklereece, Creech, Culp, Dockham, Eddins, Hiatt, Hill, Holmes, R. Hunter, Justus, Kiser, Lee, Lemmond, Linney, Locke, McCombs, McMahan, Mitchell, Morgan, Neely, Pulley, Rayfield, Tallent, Thompson, Weatherly, and Wilkins:

H.B. 388, A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED TOLERANCE FOR EXISTING TRUCK WEIGHTS, is referred to the Committee on Transportation.

By Representatives Gray and Hill:

H.B. 389, A BILL TO BE ENTITLED AN ACT AFFECTING STATE OR LOCAL FINANCES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Esposito, Creech, and Holmes:

H.B. 390, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENTS PROJECT AT APPALACHIAN STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Holmes, Creech, Esposito, and Hill:

H.B. 391, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Holmes, Creech, Esposito, and Hill:

H.B. 392, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
March 7, 1995

Mr. Speaker:

On **S.B. 16,** A BILL DIRECTING THE STATE BOARD OF EDUCATION TO RECOMMEND CHANGES IN THE PUBLIC SCHOOL SYSTEM, which House Committee Substitute bill proposed to change the title, upon concurrence, to read **S.B. 16** (House Committee Substitute), A BILL DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN FOR THE REORGANIZATION OF THE DEPARTMENT OF

PUBLIC INSTRUCTION, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **S.B. 16** (House Committee Substitute), A BILL DIRECTING THE STATE BOARD OF EDUCATION TO RECOMMEND CHANGES IN THE PUBLIC SCHOOL SYSTEM, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 58, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN VOTER REGISTRATION LAWS AND OTHER ELECTION LAWS, is read the first time and referred to the Committee on Judiciary II.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Wood moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 16

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 16, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN FOR THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC INSTRUCTION, House Committee Substitute Favorable 2/9/95, submit the following report:

The Senate and House agree to the following amendment to House Committee Substitute Favorable 2/9/95, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute and substitute the attached Proposed Committee Substitute PCCS 9536.

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: March 6, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Beverly M. Perdue, Chair	S/ Steve Wood, Chair
S/ Leslie Winner	S/ David Miner
S/ Teena S. Little	S/ N. Leo Daughtry
S/ Carolyn Russell	

The Conference Report is adopted, by electronic vote (84-28), and the Senate is so notified by Special Message. (The text of the conference committee substitute may be found in its entirety in the Appendix.)

CALENDAR (continued)

H.B. 197, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF ROSEBORO, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 339, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SEVEN LAKES COMMUNITY IN MOORE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 127, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL

PURPOSES, is before the Body with Amendment No. 3 pending.

Representative Wainwright withdraws Amendment No. 3.

Representative Wainwright offers Amendment No. 4 which fails of adoption by electronic vote (34-80).

Representative Neely offers Amendment No. 5.

Representative Neely withdraws Amendment No. 5.

Representative Neely moves that the bill, as amended, be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Representative Neely calls the previous question on the motion and the call is sustained by electronic vote (108-7).

The motion to re-refer the bill, as amended, to the Committee on Judiciary I carries by electronic vote (67-48).

The bill is ordered engrossed and re-referred to the Committee on Judiciary I.

S.B. 63, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL BOARDS TO PROVIDE THE NORTH CAROLINA HISTORICAL COMMISSION WITH NOTICE OF PLANS TO REPLACE OLD SCHOOL BUILDINGS BY SUBMITTING THE FEASIBILITY AND COST ANALYSES FOR REVIEW BY THE COMMISSION.

Representative Rogers offers Amendment No. 1 which is adopted by electronic vote (103-4).

The bill, as amended, passes its second reading, by electronic vote (98-12), and there being no objection is read a third time.

The bill, as amended, passes its third reading, by electronic vote (99-11), and is ordered sent to the Senate for concurrence in House Amendment.

ELECTRONIC VOTE TIME CHANGE

Pursuant to Rule 20(c), the Chair directs the time for voting changed from 15 seconds to 10 seconds.

SUSPENSION OF RULE

Without objection, the Chair extends the time on the filing deadline in Rule 31.1(a1) from 3:00 p.m. to 3:30 p.m.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **H.B. 181,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR THE CALDWELL COUNTY SCHOOLS, is returned for concurrence in Senate amendment and placed on the Calendar for March 9.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

H.B. 122, A BILL TO BE ENTITLED AN ACT TO ALLOW SPECIAL MOBILE EQUIPMENT DEALERS TO USE TRANSPORTER PLATES ON THE EQUIPMENT IN CERTAIN CIRCUMSTANCES AND TO PROVIDE A HIGHWAY USE TAX EXEMPTION AND A REDUCED TITLE FEE FOR THE TRANSFER OF A WRECKED MOTOR VEHICLE FROM AN INSURANCE COMPANY TO THE PERSON WHO OWNED THE VEHICLE WHEN IT WAS WRECKED, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Morgan, seconded by Representative Earle, the House adjourns at 3:04 p.m. to reconvene March 9 at 1:30 p.m.

TWENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES

Thursday, March 9, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, be honored and worshipped in our hearts. With You our relationship is grace through faith, but in society we must live by the rule of law. Guide us again today as we seek to formulate law into words and justice into the policy. Thank You for this work week and for all who have helped us, for these fine young people whose presence has challenged and refreshed us. Thank You for the 72 hour passes to our homes we receive today. May we know love, refreshment, renewal and peace. Through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 8 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-0).

A leave of absence is granted Representative Aldridge for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Arnold, Gray, and C. Wilson, for the Committee on Finance:

H.B. 223, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE EXCISE TAX ON SOFT DRINKS OVER FOUR YEARS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 300, A BILL TO BE ENTITLED AN ACT AUTHORIZING LIMITED PURCHASING OF GOODS AND SERVICES FROM NONCERTIFIED SOURCES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 13.

H.B. 301, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE AWARD OF STATE REQUIREMENTS CONTRACTS FOR FURNITURE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 13.

By Representatives Holmes, Esposito, and Creech for the Committee on Appropriations:

Comittee Substitute for **S.B. 27,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE PRISON POPULATION CAP, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House Committee Substitute bill is placed on the Calendar. The Senate Committee Substitute bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 127, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 13.

H.B. 233, A BILL TO BE ENTITLED AN ACT TO TRANSFER MOORE COUNTY TO JUDICIAL AND PROSECUTORIAL DISTRICTS 19B, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Dickson, Alexander, Cummings, Hurley, Luebke, McMahan, G. Wilson, and Wright:

H.B. 393, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES FOR A GRANT-IN-AID TO THE CARING PROGRAM FOR CHILDREN, is referred to the Committee on Appropriations.

By Representatives Dickson, Buchanan, and McMahan:

H.B. 394, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE CONTROLLER'S DUTIES WITH RESPECT TO TELECOMMUNICATIONS AND OTHER SERVICES, is referred to the Committee on Public Utilities.

By Representatives Weatherly, Buchanan, and Clary:

H.B. 395, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF LABOR FOR CRITICALLY NEEDED STAFF AND EQUIPMENT, is referred to the Committee on Appropriations.

By Representatives McComas, Barbee, Buchanan, Carpenter, Clary, Cocklereece, Decker, Grady, Hill, Nye, Pate, Preston, Pulley, Redwine, Sharpe, Sherrill, Snowden, Tallent, G. Wilson, and Wright:

H.B. 396, A BILL TO BE ENTITLED AN ACT TO EXPAND THE STATE PORTS TAX CREDIT, is referred to the Committee on Finance.

By Representatives Fitch, Adams, Alexander, Allred, Barbee, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Culp, Cummings, Cunningham, Davis, Decker, Dickson, Earle, Easterling, Edwards, Gardner, Grady, Hensley, Hill, Howard, Hunt, H. Hunter, R. Hunter, Lee, Lemmond, Linney, Luebke, McAllister, McComas, McCrary, McLaughlin, Michaux, G. Miller, Miner, Nye, Oldham, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, Rogers, Sharpe, Shaw, Sherrill, Sutton, Thompson, Wainwright, Warner, Watson, G. Wilson, Womble, Wood, Wright, and Yongue:

H.B. 397, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES TAX ON FOOD, is referred to the Committee on Finance.

By Representatives Baker, Cansler, Capps, Clary, Culp, Hurley, McMahan, Redwine, Russell, Thompson, and Warner:

H.B. 398, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCEDURE FOR ELIMINATING FRIVOLOUS LAWSUITS BY PRISONERS AND TO ESTABLISH A PARTIAL FILING FEE FOR PRISONERS PROCEEDING AS INDIGENTS, is referred to the Committee on Judiciary II.

By Representatives Baker, Cansler, Capps, Clary, Culp, Hurley, McMahan, Redwine, and Warner:

H.B. 399, A BILL TO BE ENTITLED AN ACT TO LENGTHEN THE MINIMUM SENTENCES FOR CLASS B2, C, AND D FELONY OFFENSES AND TO AUTHORIZE AN ACTIVE PUNISHMENT FOR PRIOR RECORD LEVELS I AND II OF CLASS H FELONY OFFENSES, is referred to the Committee on Judiciary II.

By Representatives Neely and Hurley:

H.B. 400, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS TO SEEK INJUNCTIVE RELIEF, is referred to the Committee on Judiciary II.

By Representatives Neely and Alexander:

H.B. 401, A BILL TO BE ENTITLED AN ACT TO RETAIN CERTIFIED LAW ENFORCEMENT OFFICERS FOR THE STATE MUSEUM OF ART, is referred to the Committee on State Government.

By Representatives Shubert, Buchanan, and Clary:

H.B. 402, A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF ALL FOSTER PARENTS IN LICENSED FAMILY FOSTER HOMES AND TO APPROPRIATE FUNDS, is referred to the Committee on Welfare Reform and Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives Shubert, Buchanan, Clary, and Thompson:

H.B. 403, A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF CHILD DAY CARE PROVIDERS, TO STUDY THE USE OF THE CENTRAL REGISTRY ON CHILD ABUSE AND NEGLECT, AND TO APPROPRIATE FUNDS, is referred to the Committee on Welfare Reform and Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives Luebke, Adams, Alexander, Barnes, Blue, Braswell, Buchanan, Easterling, Fitch, Hensley, Lee, McLaughlin, Michaux, Oldham, Richardson, Wainwright, and Womble:

H.B. 404, A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD FROM FOUR PERCENT TO THREE PERCENT, is referred to the Committee on Finance.

By Representative Edwards:

H.B. 405, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO REGULATE THE MANNER OF TAKING WILDLIFE NOT CLASSIFIED AS GAME ANIMALS, is referred to the Committee on State Government.

By Representatives Arnold, Buchanan, Capps, Hurley, and Luebke:

H.B. 406, A BILL TO BE ENTITLED AN ACT TO ADOPT THE SWEET POTATO AS THE OFFICIAL STATE VEGETABLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Brawley, Allred, Arnold, Berry, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Grady, Hayes, Howard, McMahan, K. Miller, Miner, Morgan, Pulley, Russell, Sexton, Sharpe, and Shubert:

H.B. 407, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO FORBID STATE OR LOCAL TAX MONIES FROM BEING USED FOR POLITICAL CAMPAIGNS, is referred to the Committee on Judiciary II.

By Representatives Dockham and McMahan:

H.B. 408, A BILL TO BE ENTITLED AN ACT TO IMPROVE INSURANCE COMPANY FINANCIAL MATTERS BY ADOPTING

STANDARDS FOR ASSUMPTION REINSURANCE, MATERIAL TRANSACTIONS, AND PROPERTY AND CASUALTY INSURER CAPITAL, is referred to the Committee on Insurance.

By Representatives Justus, Buchanan, Clary, and Hurley:

H.B. 409, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DRUGS TO THE CONTROLLED SUBSTANCES LAW, is referred to the Committee on Health and Environment.

By Representative Barnes:

H.B. 410, A BILL TO BE ENTITLED AN ACT TO REQUIRE TEACHERS TO WORK THREE DAYS BEYOND THE REGULAR CALENDAR YEAR TO PARTICIPATE IN STAFF DEVELOPMENT ACTIVITIES, is referred to the Committee on Education.

By Representatives Pate and McMahan:

H.B. 411, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S EXTRADITION LAWS TO PROVIDE THAT NO BOND SHALL BE ALLOWED ON A GOVERNOR'S WARRANT OF ARREST, TO PROVIDE THAT A FUGITIVE MAY BE HELD FOR FORTY-EIGHT HOURS ON A FACSIMILE OF A GOVERNOR'S WARRANT, AND TO PROVIDE THAT THE STATE SHALL HONOR A PRESIGNED WAIVER OF EXTRADITION PROCEEDINGS, is referred to the Committee on Judiciary II.

By Representatives Lemmond and Sexton:

H.B. 412, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE ENFORCEMENT OF ELECTION LAWS, is referred to the Committee on Judiciary II.

By Representatives G. Wilson and Buchanan:

H.B. 413, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "LICENSABLE FACILITY" IN THE MENTAL HEALTH LAW, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives G. Wilson, J. Brown, and Buchanan:

H.B. 414, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR THE PROTECTION OF THE HONEY BEE AND HONEY INDUSTRY, is referred to the Committee on Appropriations.

By Representatives Brawley, Buchanan, Luebke, McMahan, Redwine, and Thompson:

H.B. 415, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A GRASSROOTS SCIENCE MUSEUMS PROGRAM ADMINISTERED BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION, is referred to the Committee on Appropriations.

By Representatives Russell, Buchanan, Dockham, and Sexton:

H.B. 416, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT IMMUNITY FROM LIABILITY FOR AGENCIES SUPERVISING COMMUNITY SERVICE WORK INCLUDES CLAIMS FROM PERSONS WORKING UNDER A DEFERRED PROSECUTION AGREEMENT, PERSONS ON PROBATION AND PERSONS ON PAROLE, is referred to the Committee on Judiciary I.

By Representatives Russell, J. Brown, Buchanan, Culp, Cummings, Hurley, McMahan, Preston, Thompson, and Watson:

H.B. 417, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AREA ADVOCACY CENTERS OF THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES, is referred to the Committee on Appropriations.

By Representatives Russell, Buchanan, Culp, Dockham, Gardner, Hurley, Redwine, Sutton, and Thompson:

H.B. 418, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AID TO PUBLIC LIBRARIES FUND, is referred to the Committee on Appropriations.

By Representatives Russell, Barnes, Beall, Buchanan, Cummings, Gardner, R. Hunter, Hurley, Ives, Justus, McComas, McMahan, Preston, Rayfield, Redwine, Thompson, and G. Wilson:

H.B. 419, A BILL TO BE ENTITLED AN ACT TO INCREASE THE

ADULT DEVELOPMENTAL ACTIVITY PROGRAM (ADAP) REIMBURSEMENT RATE TO SEVENTY PERCENT OF TOTAL COST, AND TO APPROPRIATE FUNDS, is referred to the Committee on Appropriations.

By Representative Daughtry:

H.B. 420, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE PROCEDURES FOR FILING AND MAINTAINING SHAREHOLDER DERIVATIVE SUITS, is referred to the Committee on Judiciary I.

By Representatives Dockham and McMahan:

H.B. 421, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE NORTH CAROLINA STATE PORTS AUTHORITY AND THE NORTH CAROLINA PORTS RAILWAY COMMISSION TO THE DEPARTMENT OF TRANSPORTATION AND TO AMEND THE RESPONSIBILITIES OF THE BOARD OF TRANSPORTATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Berry and Buchanan:

H.B. 422, A BILL TO BE ENTITLED AN ACT TO PROMOTE ECONOMIC DEVELOPMENT BY REMOVING TECHNICAL REQUIREMENTS FOR THE FORMATION OF NORTH CAROLINA ENTERPRISE CORPORATIONS, is referred to the Committee on Business and Labor.

By Representatives Thompson, Buchanan, and Culp:

H.B. 423, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DISTRIBUTION OF COPIES OF CERTAIN PUBLICATIONS TO THE STATE PERSONNEL COMMISSION AND TO THE OFFICE OF STATE PERSONNEL, is referred to the Committee on State Government.

By Representatives Bowie, Brawley, Cansler, Crawford, Creech, Eddins, Grady, Hensley, Hiatt, Hunt, Redwine, Robinson, and Wilkins:

H.B. 424, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES REGARDING THE INSPECTION OF ELEVATORS AND RELATED DEVICES, AND REGARDING THE COLLECTION OF FEES THEREFOR, is referred to the Committee on

Business and Labor.

By Representative Hensley:

H.B. 425, A BILL TO BE ENTITLED AN ACT TO REFORM THE LAWS GOVERNING THE APPROVAL OF RATES IN PRIVATE PASSENGER AUTOMOBILE AND HOMEOWNERS' INSURANCE, INCLUDING THE REMOVAL OF CONSIDERATION OF CONTINGENCIES IN RATE MAKING AND THE ESTABLISHMENT OF A REFUND OF EXCESS INCOME BY THE MOTOR VEHICLE REINSURANCE FACILITY, is referred to the Committee on Insurance.

By Representatives Hensley and J. Brown:

H.B. 426, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS AT THE FARMERS MARKET IN RALEIGH, is referred to the Committee on Appropriations.

By Representatives McComas, Allred, Cansler, Capps, Clary, Cocklereece, Davis, Hill, Ives, Kiser, McMahan, K. Miller, Rayfield, Reynolds, Sexton, Sharpe, Snowden, and Thompson:

H.B. 427, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRITERIA FOR SELECTION AND SENTENCING TO IMPACT, is referred to the Committee on Judiciary II.

By Representatives W. Brown and Luebke (Co-Sponsors); and G. Miller:

H.B. 428, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TRAINING OF TREASURERS OF REFERENDUM COMMITTEES, is referred to the Committee on Judiciary I.

By Representatives Thompson, Berry, Black, Buchanan, Culp, Gardner, Justus, Kiser, McMahan, K. Miller, Richardson, Robinson, Russell, and Sherrill:

H.B. 429, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE, is referred to the Committee on Public Utilities.

By Representatives Thompson, Berry, Blue, Brawley, Capps, Culp, Gardner, Justus, Kiser, Linney, McMahan, Mercer, K. Miller, Pulley, Richardson, Robinson, Russell, Sexton, and Sherrill:

H.B. 430, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A COURT MAY ORDER PAYMENT OF A FEE TO THE VICTIMS COMPENSATION FUND BY A DEFENDANT PLACED ON PROBATION, is referred to the Committee on Judiciary II.

By Representatives Thompson, Berry, Black, Brawley, Buchanan, Capps, Culp, Gardner, Justus, Kiser, McMahan, Mercer, K. Miller, Pulley, Richardson, Robinson, Russell, Shaw, and Sherrill:

H.B. 431, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FORFEITURE OF PROPERTY OWNED BY PERSONS PARTICIPATING IN NUISANCES ON THE PROPERTY INVOLVING THE SALE OR USE OF NARCOTIC DRUGS, is referred to the Committee on Judiciary I.

By Representatives Thompson, Berry, Blue, Brawley, Buchanan, Capps, Culp, Gardner, Justus, Kiser, McMahan, Mercer, K. Miller, Richardson, Robinson, Russell, Sexton, and Sherrill:

H.B. 432, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT JUVENILES BE FINGERPRINTED UPON ADJUDICATION AS A DELINQUENT FOR AN OFFENSE THAT WOULD BE A FELONY IF COMMITTED BY AN ADULT AND TO CLARIFY THAT NONTESTIMONIAL IDENTIFICATION PROCEDURES SET FORTH IN THE JUVENILE CODE DO NOT APPLY TO CRIMINAL DEFENDANTS WHO ARE SIXTEEN AND SEVENTEEN YEARS OF AGE, is referred to the Committee on Judiciary II.

By Representatives Robinson, Buchanan, Sexton, and Yongue:

H.B. 433, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF LABOR FOR EXPANSION OF THE APPRENTICESHIP PROGRAM, is referred to the Committee on Appropriations.

By Representatives Kiser, Buchanan, Capps, Carpenter, Davis, Decker, Ives, McComas, McMahan, Rayfield, Sexton, Snowden, Sutton, and Thompson:

H.B. 434, A BILL TO BE ENTITLED AN ACT TO LIMIT, TO MODIFY, AND ENHANCE THE ATTEMPTING TO ELUDE ARREST STATUTES, is referred to the Committee on Judiciary II.

By Representatives Kiser and McCrary (Co-Sponsors); Adams, Alexander, Beall, Black, W. Brown, Buchanan, Carpenter, Church, Culpepper, Cunningham, Dickson, Fitch, Fox, Gamble, Gray, Hensley, Hightower, Hill, Hurley, Locke, Luebke, McComas, McMahan, Mercer, Michaux, G. Miller, Owens, Pate, Rayfield, Redwine, Reynolds, Richardson, Sexton, Shaw, Sutton, Thompson, Tolson, Warner, Weatherly, and Wilkins:

H.B. 435, A BILL TO BE ENTITLED AN ACT RELATING TO APPOINTMENTS TO THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, AMENDING THE LAWS RELATING TO THE POWERS OF AND APPEALS BEFORE THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, AND OTHERWISE PERTAINING TO CHAPTER 17E OF THE GENERAL STATUTES, is referred to the Committee on Judiciary II.

By Representatives Richardson, Adams, Blue, Brawley, W. Brown, Culpepper, Cunningham, Easterling, Fitch, Hurley, Justus, Kiser, Lemmond, Linney, McAllister, McCrary, Mercer, Nye, Pulley, Redwine, Sexton, Shaw, Sutton, Thompson, Wainwright, Warner, and Yongue:

H.B. 436, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA DRUG TREATMENT COURT PROGRAM, is referred to the Committee on Judiciary II.

By Representatives Richardson, Blue, W. Brown, Buchanan, Cunningham, Fitch, Hurley, McAllister, Nye, Redwine, Shaw, Sutton, Wainwright, Warner, and Yongue:

H.B. 437, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE STATE OF NORTH CAROLINA TO ESTABLISH A STATE VETERANS HOME PROGRAM IN THE DIVISION OF VETERANS AFFAIRS OF THE DEPARTMENT OF ADMINISTRATION, is referred to the Committee on State Government.

By Representatives Culp, Buchanan, and Thompson:

H.B. 438, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE PERSONNEL ACT RELATING TO THE DEFINITION OF

CAREER STATE EMPLOYEE, THE GROUNDS FOR STATE EMPLOYEE APPEALS, THE INVESTIGATORY DUTIES OF THE OFFICE OF STATE PERSONNEL, AND THE PRIORITY CONSIDERATION OF STATE EMPLOYEES IN FILLING VACANCIES; TO PROVIDE FOR THE ADOPTION OF AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE BY THE STATE PERSONNEL COMMISSION; AND TO ALLOW ALTERNATIVE OBSERVANCE OF THE NEW YEAR'S HOLIDAY, is referred to the Committee on Public Employees.

By Representatives G. Miller, Buchanan, Hunt, and Redwine:

H.B. 439, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE BENEFITS PROVIDED UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Public Employees.

By Representatives Wilkins, Crawford, Fox, Luebke, and G. Miller:

H.B. 440, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL COSTS OF REPLACING THE OBSOLETE FOOD DELIVERY SYSTEM AT MURDOCH CENTER, is referred to the Committee on Appropriations.

By Representatives Creech and Davis:

H.B. 441, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE MUTUAL BURIAL ASSOCIATION COMMISSION AND TO TRANSFER ITS DUTIES TO THE BOARD OF MORTUARY SCIENCE, is referred to the Committee on Business and Labor.

By Representatives Linney, Arnold, Berry, Brawley, Buchanan, Cansler, Clary, Cocklereece, Ellis, Pulley, Reynolds, and Robinson:

H.B. 442, A BILL TO BE ENTITLED AN ACT TO BRING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM INTO COMPLIANCE WITH THE INTERNAL REVENUE CODE AND TO BRING THE SUPPLEMENTAL RETIREMENT INCOME PLANS FOR STATE AND LOCAL LAW ENFORCEMENT OFFICERS INTO COMPLIANCE WITH THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT, is referred to the Committee on Pensions and Retirement.

By Representatives Howard, Allred, Arnold, Berry, Brawley, Buchanan, Church, Creech, Dockham, Edwards, Esposito, Gardner, Hayes, Hiatt, Hill, Holmes, Justus, Lemmond, McCombs, Mitchell, Morgan, Nichols, Robinson, Russell, Sherrill, Thompson, Watson, C. Wilson, and G. Wilson:

H.B. 443, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL REAL ESTATE APPRAISERS TO BE LICENSED AND TO PROVIDE FOR THE REGISTRATION OF TRAINEE REAL ESTATE APPRAISERS, is referred to the Committee on Business and Labor.

By Representatives McMahan, Alexander, Black, Cunningham, Dickson, Earle, Easterling, Kiser, Lemmond, McComas, McLaughlin, Rayfield, Thompson, and C. Wilson:

H.B. 444, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDITIONAL SUPERIOR COURT JUDGESHIP AND FIVE ADDITIONAL ASSISTANT DISTRICT ATTORNEY POSITIONS FOR MECKLENBURG COUNTY AND TO APPROPRIATE FUNDS FOR THE MECKLENBURG COUNTY DRUG COURT PROGRAM, is referred to the Committee on Judiciary I and, if favorable, to the Committee on Appropriations.

By Representatives McMahan, Clary, Davis, Dickson, Earle, Easterling, Eddins, Gardner, Ives, Kiser, Lemmond, McComas, McLaughlin, K. Miller, Pulley, Redwine, Reynolds, Russell, Sexton, Snowden, Thompson, and C. Wilson:

H.B. 445, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EXPEDITED EVICTION ACTIONS IN CERTAIN PUBLIC HOUSING AUTHORITY CASES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Miner, Buchanan, and Sexton:

H.B. 446, A BILL TO BE ENTITLED AN ACT MODIFYING CONTRACT LETTING PROCEDURES AND LIMITATIONS APPLICABLE TO THE DEPARTMENT OF TRANSPORTATION, is referred to the Committee on Transportation.

By Representatives G. Wilson and Capps:

H.B. 447, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN

AMBULANCE PROVIDER LICENSE, is referred to the Committee on Business and Labor.

By Representatives Gardner and Buchanan:

H.B. 448, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ELIGIBILITY FOR COVERAGE OF CERTAIN EMPLOYEES UNDER THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN IS BASED UPON RETIREMENT MEMBERSHIP SERVICE, WHICH MAY BE EARNED AFTER THE DISABILITY BEGAN, is referred to the Committee on Public Employees.

By Representatives Rayfield, Barbee, Carpenter, Clary, Cocklereece, Cummings, Decker, Gardner, Justus, Kiser, Lemmond, McComas, Preston, and Russell:

H.B. 449, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT AN AMOUNT OF RESTITUTION BE ORDERED IN ALL CASES WHERE A CRIME VICTIM HAS SUFFERED INJURY, PROPERTY DAMAGE, OR OTHER LOSS; TO PROVIDE FOR THE DOCKETING, PAYMENT, AND COLLECTION OF RESTITUTION JUDGMENTS, AND TO MAKE OTHER CONFORMING STATUTORY CHANGES PERTAINING TO RESTITUTION FOR CRIME VICTIMS, is referred to the Committee on Judiciary II.

By Representatives Davis, Aldridge, Allred, Baker, Brawley, Cansler, Capps, Carpenter, Cocklereece, Decker, Hayes, Ives, Kiser, Linney, K. Miller, Pate, Rayfield, Reynolds, Sharpe, Sherrill, Shubert, Weatherly, C. Wilson, and G. Wilson:

H.J.R. 450, A JOINT RESOLUTION REPEALING A JOINT RESOLUTION PROVIDING FOR A DECLARATION OF THE FEDERATION OF THE WORLD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Linney, Capps, Clary, Cocklereece, Cummings, Davis, Lemmond, Pate, Rayfield, Reynolds, Sharpe, Sherrill, Snowden, Weatherly, and G. Wilson:

H.B. 451, A BILL TO BE ENTITLED AN ACT TO EXPAND THE ADMINISTRATIVE PENALTY PROCESS TO HOSPITALS, HOME CARE AGENCIES, AND HOSPICES, is referred to the Committee on Welfare

Reform and Human Resources and, if favorable, to the Committee on Judiciary I.

By Representative Lemmond:

H.B. 452, A BILL TO BE ENTITLED AN ACT TO AMEND THE PSYCHOLOGY PRACTICE ACT, is referred to the Committee on Business and Labor.

By Representatives McMahan, Alexander, Arnold, Barbee, Black, Bowie, Brawley, J. Brown, Cansler, Capps, Clary, Cummings, Dickson, Eddins, Hiatt, Justus, Kiser, Lemmond, McLaughlin, Nichols, Pate, Pulley, Rayfield, Redwine, Reynolds, Robinson, Snowden, Thompson, and Weatherly:

H.B. 453, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACCEPTANCE OF RENT BY A HOUSING AUTHORITY IS NOT A WAIVER OF DEFAULT, is referred to the Committee on Judiciary I.

By Representatives McMahan, Alexander, Arnold, Barbee, Black, Brawley, Cansler, Capps, Clary, Cocklereece, Culp, Davis, Dickson, Eddins, Edwards, Ives, Kiser, Lemmond, McComas, K. Miller, Nichols, Pulley, Rayfield, Redwine, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Snowden, Thompson, and G. Wilson:

H.B. 454, A BILL TO BE ENTITLED AN ACT TO APPLY HOUSING AUTHORITY RULES TO VISITORS AND GUESTS, is referred to the Committee on Judiciary I.

By Representatives McMahan, Alexander, Allred, Arnold, Barbee, Black, Brawley, Buchanan, Cansler, Capps, Clary, Cummings, Decker, Dickson, Eddins, Edwards, Kiser, Lemmond, McLaughlin, K. Miller, Nichols, Pate, Pulley, Rayfield, Redwine, Reynolds, Robinson, Russell, Sexton, Sherrill, Snowden, Thompson, Weatherly, and G. Wilson:

H.B. 455, A BILL TO BE ENTITLED AN ACT TO CREATE A DRUG-FREE PUBLIC HOUSING ZONE BY PROVIDING AN ENHANCED PENALTY FOR DRUG OFFENSES NEAR PUBLIC HOUSING, is referred to the Committee on Judiciary I.

By Representatives Black, Arnold, and H. Hunter (Co-Sponsors):

H.B. 456, A BILL TO BE ENTITLED AN ACT TO CREATE THE

NORTH CAROLINA PROGRESS BOARD, is referred to the Committee on State Government.

By Representatives Fitch and Buchanan:

H.B. 457, A BILL TO BE ENTITLED AN ACT TO RECOGNIZE AMERICAN SIGN LANGUAGE AS A LANGUAGE OF DEAF PEOPLE IN NORTH CAROLINA, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Richardson, Gardner, and Lemmond:

H.B. 458, A BILL TO BE ENTITLED AN ACT TO IMPOSE CONDITIONS FOR THE RESTORATION OR CONTINUED ENJOYMENT OF A DRIVING PRIVILEGE AFTER A CONVICTION FOR DRIVING WHILE IMPAIRED OR DRIVING WHILE A PROVISIONAL LICENSEE AFTER CONSUMING DRUGS OR ALCOHOL, AND TO PROMOTE COMPLIANCE WITH THESE CONDITIONS, is referred to the Committee on Judiciary II.

By Representatives Sutton, Buchanan, and Neely:

H.B. 459, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CANCELLATION OF A NOTE OR OTHER INDEBTEDNESS SECURED BY A DEED OF TRUST OR MORTGAGE BY EXECUTION OF A CERTIFICATE OF SATISFACTION, is referred to the Committee on Financial Institutions.

By Representatives Russell and Buchanan:

H.B. 460, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE HEART DISEASE AND STROKE PREVENTION TASK FORCE AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT, is referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute for **S.B. 119,** A BILL TO BE ENTITLED AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER

WITHOUT COMPENSATION, is read the first time and referred to the Committee on Judiciary I.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 16, AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO RECOMMEND CHANGES IN THE PUBLIC SCHOOL SYSTEM. (CHAPTER 6)

H.B. 80, AN ACT TO REPEAL THE SPECIAL USE TAX ON CONSTRUCTION EQUIPMENT BROUGHT INTO THE STATE. (CHAPTER 7)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 181,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR THE CALDWELL COUNTY SCHOOLS.

On motion of Representative Robinson, the House concurs in the Senate amendment and the bill is ordered enrolled.

H.B. 178, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SCOTLAND COUNTY AND THE CITIES LOCATED IN THAT COUNTY MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 188, A BILL TO BE ENTITLED AN ACT TO EXTEND TO THE CITY OF LUMBERTON PROVISIONS OF A LOCAL ACT WHICH PROVIDE THAT SERVICE IN HOUSING CODE CASES IS SUFFICIENT WHEN A REGULAR LETTER IS SENT OUT ALONG WITH A REGISTERED OR CERTIFIED LETTER, AND THE REGULAR LETTER IS NOT RETURNED, BUT THE REGISTERED OR CERTIFIED MAIL IS UNCLAIMED OR REFUSED, passes its second reading and there being no

objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 133, A BILL TO BE ENTITLED AN ACT TO ALLOW GRAHAM COUNTY AND MACON COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES AND TO MAKE IT A MISDEMEANOR TO OBTAIN AMBULANCE SERVICES WITHOUT INTENT TO PAY OR TO MAKE AN UNNEEDED AMBULANCE REQUEST IN GRAHAM COUNTY AND POLK COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 153, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENTS THAT GRANITE FALLS ABC STORES BE AUDITED QUARTERLY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 161,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THE PUBLIC WITH ACCESS TO LOW-COST TELECOMMUNICATIONS SERVICE IN A CHANGING COMPETITIVE ENVIRONMENT.

Representative Dickson offers Amendment No. 1 which is adopted by electronic vote (106-0).

Representative G. Miller offers Amendment No. 2 which is adopted by electronic vote (107-4).

The bill, as amended, passes its second reading by electronic vote (115-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading, by electronic vote (114-0),

and is ordered engrossed and sent to the Senate.

Objection having been raised, pursuant to Rule 40(b), **H.B. 336,** A BILL TO BE ENTITLED AN ACT TO ALLOW TRAINERS OF ASSISTANCE DOGS TO BE ACCOMPANIED BY AN ASSISTANCE DOG DURING TRAINING SESSIONS WHEN USING PLACES OF PUBLIC ACCOMMODATION OR COMMON CARRIERS, is removed from today's Consent Calendar and placed on the regular Calendar.

The bill passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

RE-REFERRALS

On motion of the Chair and without objection, Committee Substitute for **S.B. 119,** A BILL TO BE ENTITLED AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER WITHOUT COMPENSATION, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Judiciary II.

On motion of the Chair and without objection, **H.B. 436,** A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA DRUG TREATMENT COURT PROGRAM, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative Pate, the House adjourns at 2:13 p.m. to reconvene Monday, March 13, 1995, at 7:00 p.m.

TWENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 13, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Reynolds.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 9 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-0).

Leaves of absence are granted Representatives Aldridge, Culpepper, Hightower, Wainwright, and Wood for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

March 9, 1995

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 115C-10-11, I hereby appoint Kathy A. Taft and Jane Norwood as members of the North Carolina State Board of Education and submit their names for confirmation by the North Carolina General Assembly.

Ms. Taft will replace William Meekins as the Region One representative. She will serve a term to begin April 1, 1995 and to expire March 31, 2003.

Dr. Norwood is being reappointed to an at-large position to begin April 1, 1995 and to expire March 31, 2003.

My warmest personal regards.

Sincerely
S/ James B. Hunt, Jr.
Governor

The Speaker refers the letter to the Committee on Education.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 63, AN ACT TO REQUIRE LOCAL SCHOOL BOARDS TO PROVIDE THE NORTH CAROLINA HISTORICAL COMMISSION WITH NOTICE OF PLANS TO REPLACE OLD SCHOOL BUILDINGS BY SUBMITTING THE FEASIBILITY AND COST ANALYSES FOR REVIEW BY THE COMMISSION. (CHAPTER 8)

S.B. 133, AN ACT TO ALLOW GRAHAM COUNTY AND MACON COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES AND TO MAKE IT A MISDEMEANOR TO OBTAIN AMBULANCE SERVICES WITHOUT INTENT TO PAY OR TO MAKE AN UNNEEDED AMBULANCE REQUEST IN GRAHAM COUNTY AND POLK COUNTY. (CHAPTER 9)

S.B. 153, AN ACT TO REMOVE THE REQUIREMENTS THAT GRANITE FALLS ABC STORES BE AUDITED QUARTERLY. (CHAPTER 10)

H.B. 121, AN ACT TO ALLOW THE HUNTING OF DEER WITH MUZZLE-LOADING RIFLES OF ANY CALIBER DURING MUZZLE-LOADING DEER SEASON IN SCOTLAND COUNTY. (CHAPTER 11)

H.B. 181, AN ACT TO CHANGE THE PAY DATE FOR THE CALDWELL COUNTY SCHOOLS. (CHAPTER 12)

H.B. 339, AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SEVEN LAKES COMMUNITY IN MOORE COUNTY. (CHAPTER 13)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Buchanan for the Permanent Subcommittee on Military, Veterans and Indian Affairs of the Standing Committee on State Government, with approval of standing committee co- chairs for report to be made directly to the floor of the House:

H.B. 120, A BILL TO BE ENTITLED AN ACT TO ALLOW A PAYROLL DEDUCTION FOR MEMBERS OF THE GENERAL ASSEMBLY FOR CONTRIBUTIONS TO CERTAIN QUALIFIED CHARITABLE ORGANIZATIONS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Edwards, and without objection, the committee substitute bill is withdrawn from the Calendar and re-referred to the Committee on Transportation.

By Representative Dickson for the Committee on Public Utilities:

H.B. 358, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE TIME PERIOD WITHIN WHICH UNSOLICITED AUTOMATIC DIALING AND RECORDED MESSAGES MAY BE MADE BY PHONE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 304, A BILL TO BE ENTITLED AN ACT TO CREATE A STATE PROCUREMENT POLICY COUNCIL, with a favorable report as to

committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Shubert for the Permanent Subcommittee on Families of the Standing Committee on Welfare Reform and Human Resources, with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO ENSURE THE BEST USE OF DAY CARE FUNDS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Sherrill for the Permanent Subcommittee on Boards and Commissions of the Standing Committee on State Government, with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 204, A BILL TO BE ENTITLED AN ACT TO ENSURE REPRESENTATION OF BOTH FOR-PROFIT AND NONPROFIT INSTITUTIONS ON THE STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

H.B. 103, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE INSURANCE FRAUD LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative Robinson, Chair for the Standing Committee on Business and Labor, refers:

H.B. 319, A BILL TO BE ENTITLED AN ACT TO AMEND THE BARBERING LAW WITH RESPECT TO THE USE OF STRAIGHT RAZORS, to the Permanent Subcommittee on Economic Expansion and Growth.

H.B. 138, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF LOOSE, UNPACKED CIGARETTES, to the Permanent Subcommittee on Travel and Tourism.

H.B. 280, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF CERTAIN PRYOTECHNICS IN NORTH CAROLINA, to the Permanent Subcommittee on Travel and Tourism.

H.B. 291, A BILL TO BE ENTITLED AN ACT TO ENACT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO CLARIFY THE AUTHORITY OF THE BUILDING CODE COUNCIL TO ADOPT PROVISIONS REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF SMOKE DETECTORS, to the Permanent Subcommittee on Travel and Tourism.

H.B. 48, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE LICENSURE OF EMPLOYEE LEASING FIRMS, to the Permanent Subcommittee on Labor Relations and Employment.

H.B. 143, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FIVE PERCENT REDUCTION IN WORKERS' COMPENSATION INSURANCE TO EMPLOYERS WHO IMPLEMENT AN APPROVED DRUG-FREE WORKPLACE PROGRAM AND TO PROVIDE REQUIREMENTS FOR A DRUG-FREE WORKPLACE PROGRAM THAT WILL ENABLE AN EMPLOYER TO QUALIFY FOR THIS REDUCTION IN INSURANCE PREMIUMS, to the Permanent Subcommittee on Labor Relations and Employment.

H.B. 340, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INDIVIDUAL WHO IS UNABLE TO PASS A DRUG TEST IS INELIGIBLE FOR UNEMPLOYMENT BENEFITS UNDER CERTAIN

CIRCUMSTANCES, to the Permanent Subcommittee on Labor Relations and Employment.

H.B. 341, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REQUIREMENTS FOR INDIVIDUALS TO REPORT WORK SEARCH EFFORTS IN ORDER TO REMAIN ELIGIBLE FOR UNEMPLOYMENT BENEFITS, to the Permanent Subcommittee on Labor Relations and Employment.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Robinson, Buchanan, and Decker:

H.B. 461, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF RED LIGHTS ON VEHICLES TRANSPORTING BLOOD, is referred to the Committee on Transportation.

By Representatives Hill, Redwine, and Wright:

H.B. 462, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COLUMBUS COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives Sharpe, Adams, Allred, Arnold, Barbee, Berry, Bowie, Buchanan, Cansler, Capps, Clary, Creech, Culp, Cummings, Davis, Eddins, Esposito, Gardner, Grady, Hiatt, Howard, Ives, Linney, McMahan, K. Miller, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Russell, Sexton, Sherrill, Thompson, Watson, Weatherly, and G. Wilson:

H.B. 463, A BILL TO BE ENTITLED AN ACT TO REQUEST THE CHIEF JUSTICE OF THE SUPREME COURT TO INVESTIGATE AND REPORT ON THE NUMBER OF EQUITABLE DISTRIBUTION CASES PENDING ACROSS THE STATE AND THE REASONS FOR DELAYS IN DISPOSITION OF THE CASES, is referred to the Committee on Judiciary II.

By Representative Warner:

H.B. 464, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM

THE CORPORATE LIMITS OF THE TOWN OF HOPE MILLS A DESCRIBED TERRITORY, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representative Wright:

H.B. 465, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NEW HANOVER COMMUNITY HEALTH CENTER, INCORPORATED, FOR CAPITAL EXPENSES, is referred to the Committee on Appropriations.

By Representatives Capps, Brawley, Buchanan, Cansler, Cummings, Davis, Decker, Eddins, Edwards, Ellis, Hurley, Ives, Linney, McComas, McCombs, K. Miller, Nichols, Preston, Rayfield, Reynolds, Russell, and Snowden:

H.B. 466, A BILL TO BE ENTITLED AN ACT TO EXEMPT LOW-VALUE UTILITY TRAILERS FROM THE HIGHWAY USE TAX, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Rayfield, Adams, Allred, Arnold, Baker, Barbee, Berry, Brawley, J. Brown, W. Brown, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Fox, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Lemmond, McAllister, McComas, McMahan, K. Miller, Nichols, Owens, Pate, Pulley, Redwine, Reynolds, Sexton, Sharpe, Sherrill, Shubert, Snowden, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue:

H.B. 467, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR AND TO INCREASE THE CRIMINAL PENALTY FOR PROMOTING PROSTITUTION OF A MINOR, is referred to the Committee on Judiciary II.

By Representatives Rayfield, Adams, Allred, Arnold, Baker, Barbee, Berry, Brawley, J. Brown, W. Brown, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Fox, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Lemmond, McAllister, McComas, McMahan, K. Miller, Nichols, Owens, Pate, Pulley, Redwine, Reynolds,

Sexton, Sharpe, Sherrill, Shubert, Snowden, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue:

H.B. 468, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE, is referred to the Committee on Judiciary II.

By Representatives Dockham, Howard, and Wood:

H.B. 469, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE DAVIDSON COUNTY BOARD OF ELECTION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, is referred to the Committee on Local and Regional Government II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 54,** A BILL TO BE ENTITLED AN ACT TO MAKE STATUTORY CONFORMING CHANGES NECESSITATED BY AN ACT TO PROVIDE FOR A GUBERNATORIAL VETO, is read the first time and referred to the Committee on Judiciary I.

S.B. 155, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A TEMPORARY LICENSE PLATE THAT IS VALID FOR UP TO SIXTY DAYS, is read the first time and referred to the Committee on Transportation.

S.B. 271, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON FUEL COST ADJUSTMENT FOR ELECTRIC UTILITIES, is read the first time and referred to the Committee on Public Utilities.

S.B. 286, A BILL TO BE ENTITLED AN ACT TO REQUIRE LABORATORIES TO PERFORM COMPOSITE TESTING OF WATER SAMPLES AS PART OF THE LABORATORY CERTIFICATION PROGRAM IN AN EFFORT TO REDUCE COSTS OF WATER TESTS, is read the first time and referred to the Committee on Health and Environment.

CALENDAR

Action is taken on the following:

H.B. 127, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES.

On motion of Representative Daughtry, the bill is temporarily displaced.

H.B. 300, A BILL TO BE ENTITLED AN ACT AUTHORIZING LIMITED PURCHASING OF GOODS AND SERVICES FROM NONCERTIFIED SOURCES, passes its second reading, by electronic vote (105-2) and there being no objection is read a third time.

Representative Decker requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (106-1).

The bill passes its third reading and is ordered sent to the Senate.

H.B. 301, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE AWARD OF STATE REQUIREMENTS CONTRACTS FOR FURNITURE, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 162, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE CHANGES MADE IN 1994 TO THE LAWS CONCERNING THE TINTING OF WINDOWS ON MOTOR VEHICLES.

On motion of Representative Ellis, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (105-3), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

H.B. 127, A BILL TO BE ENTITLED AN ACT TO LIMIT THE

LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES, which was temporarily displaced, is before the Body.

On motion of Representative Daughtry, Committee Amendment No. 1 is adopted by electronic vote (104-1).

Representative Daughtry offers Amendment No. 2.

On motion of Representative Daughtry, Amendment No. 2 is temporarily displaced.

Representative Daughtry offers Amendment No. 3 which is adopted by electronic vote (107-0).

Amendment No. 2, which was temporarily displaced, is before the Body and is adopted by electronic vote (111-0).

The bill, as amended, passes its third reading, by electronic vote (102-8), and is ordered engrossed and sent to the Senate.

RE-REFERRAL

On motion of Representative Dickson, pursuant to Rule 39.2, and without objection, **H.B. 429,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE, is withdrawn from the Committee on Public Utilities and re-referred to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF PAGES

Pages for the week of March 13-16 are introduced to the membership. They are: Stacey Alexander of Mecklenburg; Christopher Atkins, Jr. of Gaston; John Brewer of Wake; Christopher Brook of Wake; Stacie Cruz of Nash; Matthew Freniere of Wake; Nathan George of Wake; Jesse Hanson of Pasquotank; Denise Herwick of Franklin; James Huntley of Union; Kimberly Jones of Wake; Jonathan Kaczmarski of Wake; Kendall Koontz of Davidson; Mark Lovvorn of Henderson; Molly Rutter of Henderson; Robert Slocum of Wake; Rebecca Todd of Nash; Matthew Vaughan of Hertford; and Charles Vaughan of Hertford.

On motion of Representative Morgan, seconded by Representative McMahan, the House adjourns at 7:50 p.m. to reconvene March 14 at 3:00 p.m.

TWENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 14, 1995

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, we have come into this day refreshed and blessed by the beauty of this Spring-like weather. Thank You for Your faithfulness in sustaining the systems of our world. And now as we turn to the task before us, bless those whose hearts may be heavy with some secret pain, bring to them comfort and peace; and as we consider each bill on today's Calendar may we together arrive at the proper consensus that Your will may be ultimately done. Through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 13 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (93-0).

Leaves of absence are granted Representatives Aldridge, Bowen, and Linney for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 206, A BILL TO BE ENTITLED AN ACT TO INCORPORATE

THE VILLAGE OF FLAT ROCK, SUBJECT TO A REFERENDUM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 248, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT UNION COUNTY MAY ASSESS A FIRE PROTECTION FEE ON CERTAIN MOBILE HOMES, with a favorable report.

On motion of the Chair, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

H.B. 309, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE PAMLICO COUNTY GEOGRAPHICAL INFORMATION SYSTEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 15.

H.B. 337, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTROLLED ACCESS COMMUNITY FISHING LICENSES IN TRANSYLVANIA COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 370, A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 15.

H.B. 377, A BILL TO BE ENTITLED AN ACT TO TRANSFER TO THE CHARLOTTE DEPARTMENT OF TRANSPORTATION THE AUTHORITY TO APPROVE CHANGES TO STREET NAMES WITHIN THAT CITY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives C. Wilson, Arnold, and Gray for the Committee on Finance:

Committee Substitute for **H.B. 128,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF HENDERSON AND THE CITY OF ASHEVILLE TO USE WHEEL LOCKS ON CERTAIN ILLEGALLY PARKED VEHICLES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 15.

S.B. 104, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Wood for the Committee on Education:

H.B. 202, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE OBSERVANCE OF A MOMENT OF SILENCE IN ALL SCHOOL UNITS AND TO ENSURE FREEDOM OF RELIGION IN THE PUBLIC SCHOOLS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRAL

Representative Robinson, Chair for the Standing Committee on Business and Labor, refers **H.B. 452,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PSYCHOLOGY PRACTICE ACT, to the Permanent Subcommittee on Labor and Relations and Employment.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Nichols:

H.B. 470, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION TO THE NEW BERN CIVIL SERVICE PROVISIONS FOR POLICE TO DELETE OLD REPEALED MATERIAL INADVERTENTLY APPEARING IN A 1993 REWRITE, is referred to the Committee on Local and Regional Government II.

By Representatives Lemmond, Alexander, Black, Cunningham, Earle, Easterling, McLaughlin, and McMahan:

H.B. 471, A BILL TO BE ENTITLED AN ACT TO REPEAL LOCAL ACTS APPLICABLE TO THE CITY OF CHARLOTTE OR TO BOTH THE CITY OF CHARLOTTE AND THE COUNTY OF MECKLENBURG, is referred to the Committee on Local and Regional Government I.

By Representatives Lemmond, Alexander, Black, Cunningham, Earle, Easterling, McLaughlin, and McMahan:

H.B. 472, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW AS IT APPLIES TO THE CITY OF CHARLOTTE WITH THE REGARD TO PAYMENT OF FEES FOR COPIES, is referred to the Committee on Local and Regional Government I.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 7, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT LEGISLATION ALLOWING EACH COUNTY TO (i) INCREASE THE AMOUNT OF THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS IN THAT COUNTY AND (ii) RAISE THE DEFINITION OF "LOW-INCOME" SO THAT MORE ELDERLY AND DISABLED INDIVIDUALS CAN QUALIFY FOR THE EXEMPTION, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 21,** A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL BOARDS OF EDUCATION TO USE FUNDS APPROPRIATED FOR TEACHER ASSISTANTS AND FOR PROGRAM ENHANCEMENT TEACHERS TO REDUCE CLASS SIZE PURSUANT TO LOCAL SCHOOL IMPROVEMENT PLANS, is read the first time and referred to the Committee on Appropriations, Subcommittee on Education.

Committee Substitute for **S.B. 44,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF PROFESSIONAL SPORT TEAMS, is read the first time and referred to the Committee on Transportation.

S.B. 120, A BILL TO BE ENTITLED AN ACT TO PROVIDE UNIFORM TAX TREATMENT OF NORTH CAROLINA OBLIGATIONS AND FEDERAL OBLIGATIONS, is read the first time and referred to the Committee on Finance.

S.B. 229, A BILL TO BE ENTITLED AN ACT TO REMOVE IMPEDIMENTS AND DISINCENTIVES TO DONATING CONSERVATION LAND OR PRESERVATION STRUCTURES OR SITES, is read the first time and referred to the Committee on Finance.

S.B. 265, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR HUNTING FOXES WITH FIREARMS AND BOW AND ARROW IN CALDWELL COUNTY, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 283, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TAKING OF DEER WITH DOGS IN A PORTION OF RICHMOND COUNTY, is read the first time and referred to the Committee on Local and Regional Government II.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 122,** A BILL TO BE ENTITLED AN ACT TO EXPAND THE ALLOWABLE USES OF TRANSPORTER PLATES, TO ALLOW OWNERS OF SALVAGE VEHICLES TO RETAIN TITLE TO THE VEHICLES, AND TO EXEMPT OUT-OF-STATE UTILITY VEHICLES THAT ARE USED IN CERTAIN EMERGENCY OPERATIONS FROM THE VEHICLE REGISTRATION AND ROAD TAX REQUIREMENTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp,

Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Shubert, Snowden, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: Representatives Hiatt and Sherrill - 2.

Excused absences: Representatives Aldridge, Bowen, Linney, and McCombs - 4.

House Committee Substitute for **S.B. 27,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE PRISON POPULATION CAP, TO RAISE THE LIMIT ON PRISON CAPACITY, TO AUTHORIZE THE PAROLE OF NONVIOLENT INMATES, TO AUTHORIZE CERTAIN CONTRACTS FOR THE HOUSING OF STATE PRISONERS IN LOCAL CONFINEMENT FACILITIES, TO ALLOW FOR THE CONTRACTING OF PRIVATE PRISONS, TO REMOVE THE LIMIT ON PRISONERS WHO MAY BE HOUSED IN NON-STATE OWNED FACILITIES, TO REMOVE THE SUNSET ON CONTRACTS WITH OUT-OF-STATE PUBLIC CORRECTIONAL FACILITIES, AND TO ALLOW THE DEPARTMENT TO USE AVAILABLE FUNDS TO PROVIDE ADDITIONAL PRISON BEDS AND EMPLOY NECESSARY STAFF, passes its second reading, by electronic vote (109-7).

Representative Wright objects to the third reading. The bill remains on the Calendar.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Neely for the Committee on Judiciary II.

H.B. 9, A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE

APPEALS PROCESS IN NORTH CAROLINA FOR CRIMINAL CASES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

RE-REFERRAL

On motion of Representative Morgan and with unanimous consent, **H.R. 126,** A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Watson, the House adjourns at 4:08 p.m. to reconvene March 15 at 3:00 p.m.

TWENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 15, 1995

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Oh Lord, our Lord, how excellent is Thy name in all the earth, and yet how ignored, abused, and profaned by so many whose very life is Your gift. But we would not be in that number, and so we pause to honor Thee, to confess our sin and to seek Thy face. Guide us in the way that we should go. Take captive our minds and our wills, and may our actions always reflect Thy love and Thy law. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 14 has been examined and found correct. Upon his motion, the Journal is approved as written by

electronic vote (102-1).

Leaves of absence are granted Representatives Aldridge, Brawley, Esposito, and Neely for today.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 162, AN ACT TO DELAY THE EFFECTIVE DATE OF THE CHANGES MADE IN 1994 TO THE LAWS CONCERNING THE TINTING OF WINDOWS ON MOTOR VEHICLES. (CHAPTER 14)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 211, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO AUTHORIZE THE CITY COUNCIL TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 214, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF TARBORO, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 16.

H.B. 239, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 469, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE DAVIDSON COUNTY BOARD OF ELECTION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 16.

By Representatives Holmes and Creech for the Committee on Appropriations:

H.B. 375, A BILL TO BE ENTITLED AN ACT TO REMOVE THE LIMITATION ON FUNDING FOR THE PER DIEM COSTS OF INMATES HOUSED OUT-OF-STATE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.R. 126, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report as to Committee Substitute Resolution No. 2, unfavorable as to Committee Substitute Resolution No. 1, and with recommendation that it be adopted.

Pursuant to Rule 36(a), Committee Substitute Resolution No. 2 is placed on the Calendar for March 20. Committee Substitute Resolution No. 1 is placed on the Unfavorable Calendar.

S.J.R. 225, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 16.

S.J.R. 236, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SENATOR JOHN BONNELL CODINGTON, MD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 20.

By Representative J. Brown for the Committee on Agriculture:

H.B. 61, A BILL TO BE ENTITLED AN ACT TO PROVIDE IMMUNITY FROM LIABILITY FOR EQUINE ACTIVITIES, reported without prejudice as to committee substitute bill, unfavorable as to original bill, and with recommendation that the committee substitute bill be re-referred to a Judiciary Committee.

On motion of the Chair, the committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives R. Hunter, Buchanan, and Redwine:

H.B. 473, A BILL TO BE ENTITLED AN ACT TO MAKE PROCEDURAL CHANGES AND TECHNICAL CORRECTIONS TO THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT, TO ALLOW RETROACTIVE INDEMNIFICATION OF A MANAGER OR MEMBER OF A LIMITED LIABILITY COMPANY, AND TO EXTEND THE USURY EXEMPTION TO LIMITED LIABILITY COMPANIES AND PARTNERSHIPS, is referred to the Committee on Judiciary I.

By Representatives Fox, Alexander, Arnold, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Capps, Church, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Earle, Easterling, Grady, Hackney, Hensley, Hiatt, Hightower, Hill, Hunt, R. Hunter, Justus, Lee, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Richardson, Rogers, Russell, Shaw, Sherrill, Sutton, Tolson, Warner, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue:

H.B. 474, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE TO REINSTATE THE PESTICIDE DISPOSAL PROGRAM, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Shaw, Adams, Alexander, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Buchanan, Church, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hensley, Hiatt, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Linney, Locke, McAllister, McLaughlin, Mercer, G. Miller, Oldham, Ramsey, Rayfield, Redwine, Robinson, Sexton, Snowden, Sutton, Thompson, Tolson, Wainwright, Warner, Wilkins, G. Wilson, Womble, Wright, and Yngue:

H.B. 475, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA CAPITAL ACCESS AUTHORITY TO PROVIDE EQUITY AND CREDIT FINANCING TO SMALL AND MEDIUM-SIZED BUSINESSES TO CREATE JOBS FOR NORTH CAROLINA, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Finance.

By Representatives Allred, Buchanan, Miner, Reynolds, Sexton, and G. Wilson:

H.B. 476, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO INCREASE THE SPEED LIMIT ON ALL COMPLETED PORTIONS OF THE INTERSTATE HIGHWAY SYSTEM IN ALAMANCE COUNTY TO SIXTY-FIVE MILES PER HOUR, is referred to the Committee on Local and Regional Government II.

By Representatives Arnold, Allred, Baker, Berry, Buchanan, Capps, Carpenter, Clary, Cocklereece, Creech, Davis, Dickson, Hayes, Justus, McMahan, Mitchell, Morgan, Nichols, Reynolds, and G. Wilson:

H.B. 477, A BILL TO BE ENTITLED AN ACT TO LIMIT THE AUTHORIZATION FOR PAYROLL DEDUCTIONS FROM EMPLOYEES' SALARIES TO EMPLOYEES' ORGANIZATIONS, is referred to the Committee on Public Employees.

By Representatives J. Brown and Holmes:

H.B. 478, A BILL TO BE ENTITLED AN ACT TO INCORPORATE A TOWN IN WILKES COUNTY, is referred to the Committee on Local and Regional Government I.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 220, A BILL TO BE ENTITLED AN ACT TO PROVIDE COUNTIES WITH INFORMATION TO ENABLE THEM TO VERIFY CLAIMS FOR REFUNDS OF THEIR LOCAL SALES AND USE TAX, is read the first time and referred to the Committee on Finance.

S.B. 288, A BILL TO BE ENTITLED AN ACT TO ALLOW ALLEGHANY COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is read the first time and referred to the Committee on Local and Regional Government II.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 128,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF HENDERSON AND THE CITY OF ASHEVILLE TO USE WHEEL LOCKS ON CERTAIN ILLEGALLY PARKED VEHICLES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative: Representatives Adams, Alexander, Allred, Arnold, Baker, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Snowden, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 101.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Brawley, Esposito, and Neely - 4.

H.B. 309, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE PAMLICO COUNTY GEOGRAPHICAL INFORMATION SYSTEM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 370, A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 122,** A BILL TO BE ENTITLED AN ACT TO EXPAND THE ALLOWABLE USES OF TRANSPORTER PLATES, TO ALLOW OWNERS OF SALVAGE VEHICLES TO RETAIN TITLE TO THE VEHICLES, AND TO EXEMPT OUT-OF-STATE UTILITY VEHICLES THAT ARE USED IN CERTAIN EMERGENCY OPERATIONS FROM THE VEHICLE REGISTRATION AND ROAD TAX REQUIREMENTS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Snowden, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: Representative McLaughlin.

Excused absences: Representatives Aldridge, Brawley, Esposito, and Neely - 4.

House Committee Substitute for **S.B. 27,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE PRISON POPULATION CAP, TO RAISE THE LIMIT ON PRISON CAPACITY, TO AUTHORIZE THE PAROLE OF NONVIOLENT INMATES, TO AUTHORIZE CERTAIN CONTRACTS FOR THE HOUSING OF STATE PRISONERS IN LOCAL CONFINEMENT FACILITIES, TO ALLOW FOR THE CONTRACTING OF PRIVATE PRISONS, TO REMOVE THE LIMIT ON PRISONERS WHO MAY BE HOUSED IN NON-STATE OWNED FACILITIES, TO REMOVE THE SUNSET ON CONTRACTS WITH OUT-OF-STATE PUBLIC CORRECTIONAL FACILITIES, AND TO ALLOW THE DEPARTMENT TO USE AVAILABLE FUNDS TO PROVIDE ADDITIONAL PRISON BEDS AND EMPLOY NECESSARY STAFF.

Representative Michaux offers Amendment No. 1 which is adopted by electronic vote (104-0).

The bill, as amended, passes its third reading, by electronic vote (106-1), and is order engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

H.B. 233, A BILL TO BE ENTITLED AN ACT TO TRANSFER MOORE COUNTY TO JUDICIAL AND PROSECUTORIAL DISTRICTS 19B.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (79-21).

Representative Redwine inquires of the Chair if the bill should be re-referred to the Committee on Appropriations, pursuant to Rule 38. The Speaker states that bill does not need to be re-referred.

Representative Fitch calls for the "ayes" and "noes" on the bill, and requests that the vote be spread upon the Journal. The Speaker so orders.

Representative Gamble moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

The motion fails by electronic vote (49-58).

Representative Fitch states that his voting equipment malfunctioned and requests that he be recorded as voting "aye" on the motion. This request is granted. The adjusted vote total is (50-57).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (77-30).

The bill, as amended, passes its second reading by the following vote.

Those voting in the affirmative are: Representatives Allred, Arnold, Baker, Barbee, Berry, Bowie, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Watson, Weatherly, C. Wilson, and G. Wilson - 61.

Voting in the negative: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Cunningham, Earle, Easterling, Fitch, Fox, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Wainwright, Warner, Wilkins, Womble, Wright, and Yongue - 49.

Excused absences: Representatives Aldridge, Brawley, Esposito, Neely, Tolson, and Wood - 6.

Representative Hensley objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 304,** A BILL TO BE ENTITLED AN ACT TO CREATE A STATE PROCUREMENT POLICY COUNCIL.

Representative Cummings offers Amendment No. 1 which is adopted by electronic vote (104-0).

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 204,** A BILL TO BE ENTITLED AN ACT TO ENSURE REPRESENTATION OF BOTH FOR-PROFIT AND NONPROFIT INSTITUTIONS ON THE STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS, passes its second reading, by electronic vote (105-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.R. 43, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 1995 GENERAL ASSEMBLY, with a favorable report as to committee substitute resolution, unfavorable as to original resolution, and with recommendation that it be adopted.

Pursuant to Rule 36(a), the committee substitute resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

H.J.R. 209, A JOINT RESOLUTION INVITING MISS HEATHER WHITESTONE, MISS AMERICA 1995, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, with a favorable report as to committee substitute resolution, which changes the title, unfavorable as to original resolution, and with recommendation that it be adopted.

Pursuant to Rule 36(a), the committee substitute resolution is placed on the Calendar for March 20. The original resolution is placed on the Unfavorable Calendar.

H.J.R. 226, A JOINT RESOLUTION HONORING THE 1993-94 WOMEN'S BASKETBALL TEAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL FOR WINNING A NATIONAL

CHAMPIONSHIP, with a favorable report as to committee substitute joint resolution, which changes the title, unfavorable as to original resolution.

Pursuant to Rule 36(a), the committee substitute joint resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

On motion of Representative Morgan, seconded by Representative W. Brown, the House adjourns at 4:38 p.m. to reconvene March 16 at 3:00 p.m.

THIRTIETH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 16, 1995

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father. It is Thursday. Time to reflect, be grateful. Again, thank You for the dedicated men and women who make up this House; for our Speaker, our Principal Clerk and her colleagues, personal secretaries, counsel, assistants, our Sergeant-at-Arms and his cadre of helpers, House officers, technicians, pages, gallery guests, our state, America, our families. May each one be blessed for Jesus' sake. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 15 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-1).

Leaves of absence are granted Representatives Aldridge, Brawley, Esposito, Hunt, Neely, Oldham, Sutton, Tallent, and Thompson for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Miner for the Committee on Transportation:

H.B. 388, A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED TOLERANCE FOR EXISTING TRUCK WEIGHTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Dickson for the Committee on Public Utilities:

S.B. 271, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON FUEL COST ADJUSTMENT FOR ELECTRIC UTILITIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 405, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO REGULATE THE MANNER OF TAKING WILDLIFE NOT CLASSIFIED AS GAME ANIMALS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 331, A BILL TO BE ENTITLED AN ACT TO ALLOW DISABLED PERSONS TO APPLY TO THE WILDLIFE RESOURCES COMMISSION FOR HUNTING AND FISHING METHODS EXEMPTIONS TO PROVIDE REASONABLE ACCOMMODATIONS FOR THEIR DISABILITIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 20.

SUBCOMMITTEE REFERRALS

Representative Robinson, Chair for the Standing Committee on Business and Labor, refers:

H.B. 303, A BILL TO BE ENTITLED AN ACT CONCERNING THE OPERATION OF CORRECTION ENTERPRISES, to the Permanent Subcommittee on Economic Expansion and Growth.

Representatives Berry and Howard, Co-Chairs for the Standing Committee on Welfare Reform and Human Resources, refer:

H.B. 402, A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF ALL FOSTER PARENTS IN LICENSED FAMILY FOSTER HOMES AND TO APPROPRIATE FUNDS, to the Permanent Subcommittee on Families.

H.B. 403, A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF CHILD DAY CARE PROVIDERS, TO STUDY THE USE OF THE CENTRAL REGISTRY ON CHILD ABUSE AND NEGLECT, AND TO APPROPRIATE FUNDS, to the Permanent Subcommitee on Families.

Representative Edwards, Chair for the Standing Committee on State Government, refers:

H.B. 456, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA PROGRESS BOARD, to the Permanent Subcommittee on Boards and Commissions.

H.B. 437, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE STATE OF NORTH CAROLINA TO ESTABLISH A STATE VETERANS HOME PROGRAM IN THE DIVISION OF VETERANS AFFAIRS OF THE DEPARTMENT OF ADMINISTRATION, to the Permanent Subcommittee on Military, Veterans and Indian Affairs.

H.B. 401, A BILL TO BE ENTITLED AN ACT TO RETAIN CERTIFIED LAW ENFORCEMENT OFFICERS FOR THE STATE MUSEUM OF ART, to the Permanent Subcommittee on State Parks, Facilities and Property.

RE-REFERRAL

On motion of Representative Dickson, pursuant to Rule 39.2 and without objection, **H.B. 394,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE CONTROLLER'S DUTIES WITH RESPECT TO TELECOMMUNICATIONS AND OTHER SERVICES, is withdrawn from

the Committee on Public Utilities and re-referred to the Committee on State Government.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Howard, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Gray, Hayes, Hiatt, Hill, Holmes, Ives, Justus, Kiser, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 479, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO ADOPT THE OPTIONAL FEDERAL AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) FRAUD PREVENTION PROGRAM, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Cummings, Lee, and Yongue:

H.B. 480, A BILL TO BE ENTITLED AN ACT CONCERNING SCHOOL FUNDING IN SCOTLAND COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Decker, Aldridge, Baker, Barbee, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Cocklereece, Creech, Culp, Daughtry, Davis, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Linney, McAllister, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Owens, Pate, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sherrill, Snowden, Tallent, Thompson, Tolson, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 481, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARENTAL OR JUDICIAL CONSENT FOR AN UNEMANCIPATED MINOR'S ABORTION, is referred to the Committee on Judiciary I.

By Representative Beall:

H.B. 482, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS AT THE WESTERN NORTH CAROLINA FARMERS MARKET, is referred to the Committee on Appropriations.

By Representative Beall:

H.B. 483, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR OPERATION OF THE WESTERN NORTH CAROLINA FARMERS MARKET, is referred to the Committee on Appropriations.

By Representative Beall:

H.B. 484, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR A NEW WHOLESALE BUILDING AT THE WESTERN NORTH CAROLINA FARMERS MARKET, is referred to the Committee on Appropriations.

By Representative Esposito:

H.B. 485, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE SUPPLEMENTAL WELFARE FUND FOR FIREMEN IN FORSYTH COUNTY, is referred to the Committee on Appropriations.

By Representative Gamble:

H.B. 486, A BILL TO BE ENTITLED AN ACT TO AMEND THE LEGISLATIVE ETHICS ACT TO PROVIDE THAT NO BILL AFFECTING THE TAX ON A PROFESSION OR BUSINESS MAY BE REFERRED TO A STANDING OR SELECT COMMITTEE A MAJORITY OF WHOSE MEMBERS ARE DIRECTLY AFFECTED, OR ARE EMPLOYED BY A PERSON DIRECTLY AFFECTED, BY THAT BILL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McAllister, Adams, Arnold, Berry, Boyd-McIntyre, Braswell, Clary, Creech, Cummings, Cunningham, Decker, Earle, Easterling, Fitch, H. Hunter, Luebke, Oldham, Sherrill, Wainwright, Warner, C. Wilson, G. Wilson, Womble, Wright, and Yongue:

H.B. 487, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE

PILOT PROGRAMS IN WHICH STUDENTS ARE REQUIRED TO WEAR UNIFORMS IN PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Weatherly, Arnold, Barbee, Bowie, Brawley, J. Brown, Capps, Carpenter, Cocklereece, Culp, Cummings, Decker, Dickson, Hiatt, Justus, Kiser, Lemmond, Mercer, K. Miller, Pate, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Shubert, Tallent, Thompson, Warner, and G. Wilson:

H.B. 488, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INDEPENDENT REDISTRICTING COMMISSION TO HANDLE REDISTRICTING MATTERS, is referred to the Committee on Judiciary II.

By Representatives Snowden, Barbee, Berry, Black, Blue, J. Brown, Buchanan, Capps, Clary, Cocklereece, Culp, Decker, Dickson, Dockham, Fitch, Gardner, Gray, Hurley, Justus, Kiser, Lemmond, Locke, McCombs, McCrary, K. Miller, Nichols, Pate, Reynolds, Richardson, Sexton, Tolson, Warner, Weatherly, and G. Wilson:

H.B. 489, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF PODIATRY, is referred to the Committee on Health and Environment.

By Representative Daughtry:

H.B. 490, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNUAL REPORTS OF CORPORATIONS, NONPROFIT CORPORATIONS, AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, TO ESTABLISH FEES FOR EXPEDITED FILINGS, AND TO ALLOW THE SECRETARY OF STATE TO RETAIN FILED DOCUMENTS IN REPRODUCED FORM, is referred to the Committee on Judiciary I and, if favorable, to the Committee on Finance.

By Representatives Buchanan and Thompson:

H.B. 491, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE REGULATION OF WATER SUPPLY WATERSHEDS DOES NOT APPLY TO CERTAIN WATERSHEDS, is referred to the Committee on Health and Environment.

By Representative Creech:

H.B. 492, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CLAYTON TO USE THE SINGLE-PRIME CONTRACTOR METHOD OF CONSTRUCTING THE HOCUTT-ELLINGTON LIBRARY ADDITION, is referred to the Committee on Local and Regional Government II.

By Representatives Boyd-McIntyre, Adams, Black, Bowie, Cocklereece, Decker, Redwine, Sharpe, Shaw, and Wood:

H.B. 493, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT MODIFYING THE VOTE REQUIRED FOR PRIVATE SALE OF PROPERTY BY THE CITY OF GREENSBORO FOR PUBLIC PURPOSES, is referred to the Committee on Local and Regional Government II.

By Representatives Clary, Capps, Carpenter, Culp, Cummings, Davis, Eddins, Ives, Kiser, McComas, McMahan, K. Miller, Mitchell, Owens, Pate, Pulley, Rayfield, Reynolds, Sexton, Sherrill, Snowden, Tolson, Weatherly, and G. Wilson:

H.B. 494, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR ASSAULT UPON A LAW ENFORCEMENT OFFICER WITH A FIREARM, is referred to the Committee on Judiciary II.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 56, A BILL TO BE ENTITLED AN ACT TO REPEAL ANTIQUATED, OBSOLETE, OR UNCONSTITUTIONAL LAWS, is read the first time and referred to the Committee on Judiciary I.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 128,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF HENDERSON AND THE CITY OF ASHEVILLE TO USE WHEEL LOCKS ON CERTAIN ILLEGALLY PARKED VEHICLES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nye, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Snowden, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 97.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Brawley, Cansler, Esposito, Hunt, Neely, Oldham, Sutton, Tallent, and Thompson - 10.

RE-REFERRAL

On motion of Representative Morgan and without objection, **H.B. 239,** A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is withdrawn from the Calendar and re-referred to the Committee on Finance.

CALENDAR (continued)

H.B. 214, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF TARBORO.

On motion of Representative Tolson and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

H.B. 469, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE DAVIDSON COUNTY BOARD OF ELECTION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION.

On motion of Representative Dockham, Committee Amendment No. 1 is

adopted by electronic vote (99-0). This amendment changes the title.

The bill, as amended, passes its second reading.

The caption having been amended, the bill remains on the Calendar.

S.B. 104, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

On motion of Representative C. Wilson, Committee Amendment No. 1 is adopted by electronic vote (101-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Snowden, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: Representatives Easterling, McLaughlin, Ramsey, and Redwine - 4.

Excused absences: Representatives Aldridge, Brawley, Cansler, Esposito, Hunt, Neely, Oldham, Sutton, Tallent, and Thompson - 10.

H.B. 233, A BILL TO BE ENTITLED AN ACT TO TRANSFER MOORE COUNTY TO JUDICIAL AND PROSECUTORIAL DISTRICTS 19B.

Representative Hightower moves that the bill, as amended, be withdrawn

from the Calendar and re-referred to the Committee on Judiciary I.

The motion fails by electronic vote (45-63).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (82-24).

The bill, as amended, passes its third reading, by electronic vote (63-46), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 358,** A BILL TO BE ENTITLED AN ACT TO RESTRICT THE TIME PERIOD WITHIN WHICH UNSOLICITED AUTOMATIC DIALING AND RECORDED MESSAGES MAY BE MADE BY PHONE, passes its second reading, by electronic vote (81-21), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 103,** A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE INSURANCE FRAUD LAW, is withdrawn from the Calendar and placed on the Calendar of March 20.

CALENDAR (continued)

H.B. 202, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE OBSERVANCE OF A MOMENT OF SILENCE IN ALL SCHOOL UNITS AND TO ENSURE FREEDOM OF RELIGION IN THE PUBLIC SCHOOLS.

Representative Hayes offers Amendment No. 1 which is adopted by electronic vote (100-0).

Representative Linney inquires of the Chair if legislative intent is incorporated in the bills. The Speaker states that it is not.

Representative Cummings calls the previous question on the passage of the bill and the call is sustained by electronic vote (99-4).

The bill, as amended, passes its second reading by electronic vote (91-12).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

S.J.R. 225, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.

Representative Morgan offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (95-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
March 16, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 27** (Committee Substitute), a bill to repeal the prison population cap, which proposes to change the title, upon concurrence, to read **S.B. 27** (House Committee Substitute), a bill to repeal the prison population cap, to raise the limit on prison capacity, to authorize the parole of nonviolent inmates, to authorize certain contracts for the housing of State prisoners in local confinement facilities, to allow for the contracting of private prisons, to remove the limit on prisoners who may be housed in non-state owned facilities, to remove the sunset on contracts with out-of-state public correctional facilities, and to allow the Department to use available funds to provide additional prison beds and employ necessary staff, and requests conferees. The President Pro Tempore appoints:

Senator Odom, Chairman
Senator Hartsell
Senator Ballance
Senator Parnell

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representative Lemmond, Chair; Representatives Culpepper, Brawley, and Neely as conferees on the part of the House and the Senate is so notified by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Berry and Howard for the Committee on Welfare Reform and Human Resources:

H.B. 86, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE IDENTIFICATION OF THE FATHER OF ANY CHILD ELIGIBLE FOR PUBLIC ASSISTANCE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative McCombs for the Committee on Pensions and Retirement:

H.B. 333, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A REGISTER OF DEEDS WHO COMPLETES SERVICE AFTER TEN YEARS OF ELIGIBLE SERVICE AS REGISTER OF DEEDS BUT DOES NOT COMMENCE RETIREMENT FROM THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM MAY RECEIVE A MONTHLY PENSION FROM THE REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND UPON RETIREMENT UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

H.B. 108, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIALIZED REGISTRATION PLATES FOR RETIRED CLERKS OF SUPERIOR COURT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 133,** A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF COLUMBUS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 145,** A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROANOKE RAPIDS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 167, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES NOT TO BILL FOR CERTAIN PROPERTY TAXES WHEN THE AMOUNT DUE ON THE TAX BILL IS LESS THAN THE COST OF PREPARING AND SENDING THE BILL, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Morgan, seconded by Representative Shaw, the House adjourns at 5:05 p.m. to reconvene Monday, March 20, 1995, at 7:30 p.m.

THIRTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Monday, March 20, 1995

The House meets at 7:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Father, we pause to hallow Thy name, and to say thank You for the weekend past, the warm embrace of family, the ecstatic joy of my dog, the flashy yellow chorus line of daffodils beside the yard, the saucy pansy face that played peek-a-boo beside the fence. My granddaughter winning first place in skip rope competition. The wild geese that honked goodbye over head. My horses friendly greeting, the pasture turning green. But, here we are back in Raleigh, another week of work ahead. Oh God, protect us from the temptation to be careless, and let us not pass into law any bill that will contribute to man's delinquency, but only pass into law that which will uplift and bless. Through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 16 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (88-0).

Leaves of absence are granted Representatives Aldridge, Berry, Bowie, Esposito, Grady, Hunt, R. Hunter, Luebke, Snowden, and Thompson for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

March 16, 1995

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Due to her recent surgery and subsequent recovery period, Ms. Judy Stephenson has been unable to appear before the House of Representatives regarding her recent appointment to the State Personnel Commission. Therefore, I wish to withdraw Ms. Stephenson's nomination at this time; however, I reserve the right to re-submit the nomination when Ms. Stephenson has recovered.

My warmest personal regards.

Sincerely,
S/James B. Hunt, Jr.
Governor

The Speaker refers the letter to the Committee on State Government.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Daughtry for the Committee on Judiciary I:

Committee Substitute for **S.B. 5,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE COMPOSITION OF THE STATE BOARD OF EDUCATION AND MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE STATE BOARD OF EDUCATION, AND TO MAKE CORRESPONDING STATUTORY CHANGES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the

Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Gamble, Berry, Clary, Dickson, Hunt, Kiser, Rayfield, and Weatherly:

H.B. 495, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY IN LINCOLN AND GASTON COUNTIES TO INJURE OR KILL A LAW ENFORCEMENT AGENCY ANIMAL, TO CREATE A NEW OFFENSE FOR ASSAULT WITH A FIREARM UPON A LAW ENFORCEMENT AGENCY ANIMAL, AND TO CREATE A NEW OFFENSE FOR SIMPLE ASSAULT OR SIMPLE ASSAULT AND BATTERY UPON A LAW ENFORCEMENT AGENCY ANIMAL, is referred to the Committee on Local and Regional Government II.

By Representatives Sexton, Adams, Allred, Arnold, Baker, Barbee, Boyd-McIntyre, Brawley, Carpenter, Cocklereece, Culp, Cummings, Davis, Dockham, Earle, Easterling, Eddins, Ellis, H. Hunter, Ives, Kiser, McAllister, McComas, McCrary, McLaughlin, McMahan, Michaux, K. Miller, Mitchell, Oldham, Owens, Pate, Preston, Pulley, Reynolds, Richardson, Russell, Shaw, Shubert, Wainwright, Watson, Weatherly, G. Wilson, and Yongue:

H.B. 496, A BILL TO BE ENTITLED AN ACT TO CREATE AN OFFENSE FOR ASSAULTING A SCHOOL BUS DRIVER, is referred to the Committee on Judiciary II.

By Representatives Sexton, Adams, Beall, Blue, Bowen, Boyd-McIntyre, Braswell, Brawley, W. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Cummings, Cunningham, Davis, Dockham, Earle, Easterling, Hiatt, H. Hunter, Ives, Kiser, Linney, McAllister, McComas, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Sharpe, Shaw, Sherrill, Shubert, Snowden, Sutton, Wainwright, Warner, Watson, Weatherly, G. Wilson, Womble, Wright, and Yongue:

H.B. 497, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO THE NATIONAL GUARD FOR THE REPAIR AND MAINTENANCE OF ARMORIES AND FOR THE EDUCATIONAL ASSISTANCE

PROGRAM, is referred to the Committee on Appropriations.

By Representatives Cunningham, Alexander, Black, Earle, Easterling, McLaughlin, McMahan, and C. Wilson:

H.B. 498, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE WITH RESPECT TO THE DISPOSITION OF REAL PROPERTY TO PERSONS OF LOW OR MODERATE INCOME, is referred to the Committee on Local and Regional Government I.

By Representatives Preston and Snowden (Co-Sponsors):

H.B. 499, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR SOME EMPLOYEES OF THE CARTERET COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government I.

By Representatives Berry, Arnold, Barnes, Beall, Bowen, J. Brown, Buchanan, Carpenter, Clary, Culp, Culpepper, Cummings, Dockham, Edwards, Grady, Gray, Hackney, Hill, Hurley, Kiser, Locke, Luebke, McAllister, McCrary, Michaux, G. Miller, Oldham, Preston, Richardson, Robinson, Sexton, Shaw, Sutton, Thompson, Warner, Weatherly, G. Wilson, and Womble:

H.B. 500, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES, DIVISION OF STATE LIBRARY, TO PROVIDE GRANTS TO PUBLIC LIBRARIES FOR CONSTRUCTION, PLANNING, AND RENOVATION PROJECTS, is referred to the Committee on Appropriations.

By Representatives Hiatt, Allred, Baker, Barbee, Barnes, Bowen, Bowie, J. Brown, Buchanan, Cansler, Capps, Clary, Cocklereece, Davis, Decker, Easterling, Eddins, Gamble, Gardner, Grady, Gray, Hackney, Hightower, Hunt, R. Hunter, Justus, Kiser, McLaughlin, McMahan, K. Miller, Nye, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Robinson, Sharpe, Sherrill, Snowden, Weatherly, C. Wilson, and G. Wilson:

H.J.R. 501, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THE LATE JAMES MARSHALL HALL, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Owens, Adams, Alexander, Beall, Berry, Black, Bowen, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Cummings, Davis, Dickson, Earle, Easterling, Fox, Gamble, Gardner, Hightower, Hill, Howard, H. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Locke, McAllister, McMahan, Mercer, Nichols, Oldham, Pate, Preston, Ramsey, Reynolds, Richardson, Rogers, Sexton, Shaw, Snowden, Sutton, Tallent, Tolson, Wainwright, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue:

H.B. 502, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO LEVY AN ADDITIONAL SALES AND USE TAX OF ONE PERCENT, IF APPROVED BY THE VOTERS OF THE COUNTY, FOR PUBLIC SCHOOL CONSTRUCTION, is referred to the Committee on Finance.

By Representatives Alexander, Barnes, Black, Blue, Boyd-McIntyre, Church, Crawford, Culp, Culpepper, Cunningham, Dickson, Earle, Easterling, Fox, Gardner, Hackney, Hill, H. Hunter, Hurley, Lemmond, Locke, Luebke, McAllister, McCrary, McMahan, Preston, Richardson, Shaw, Tolson, Wainwright, Warner, Watson, G. Wilson, Womble, Wright, and Yongue:

H.B. 503, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER HEALTH INSURANCE POLICIES AND PLANS, is referred to the Committee on Insurance.

By Representatives Robinson and Buchanan:

H.B. 504, A BILL TO BE ENTITLED AN ACT TO SUBTRACT ANY TRADE-IN ALLOWANCE IN CALCULATING THE ALTERNATIVE HIGHWAY USE TAX ON LEASED VEHICLES AND TO ALLOW A CREDIT AGAINST THE HIGHWAY USE TAX FOR ANY ALTERNATIVE HIGHWAY USE TAX PAID ON A LONG-TERM LEASE OF THE SAME VEHICLE BY THE PURCHASER OR A RELATED PERSON, is referred to the Committee on Finance.

By Representative Dickson:

H.B. 505, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GASTONIA TO MAKE CERTAIN ASSESSMENTS OUTSIDE THE CORPORATE LIMITS, is referred to the Committee on Local and Regional Government I.

By Representative Dickson:

H.B. 506, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TRAINING ENVIRONMENTAL HEALTH SPECIALISTS, is referred to the Committee on Appropriations.

By Representative Culpepper:

H.B. 507, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE COLINGTON HARBOUR COMMUNITY IN DARE COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Ives:

H.B. 508, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NONPARTISAN ELECTION OF THE TRANSYLVANIA COUNTY BOARD OF EDUCATION FROM THE DATE OF THE PRIMARY TO THE DATE OF THE GENERAL ELECTION, is referred to the Committee on Local and Regional Government I.

By Representatives Daughtry, Decker, Mitchell, Morgan, and Wood:

H.B. 509, A BILL TO BE ENTITLED AN ACT TO ROTATE PARTY ALIGNMENT ON THE BALLOT, is referred to the Committee on Judiciary I.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 254, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF MOUNT AIRY TO CHANGE FROM PARTISAN TO NONPARTISAN THE METHOD OF ELECTING THE MAYOR AND BOARD OF COMMISSIONERS, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 309, A BILL TO BE ENTITLED AN ACT RELATING TO NOTICES OF LIS PENDENS BY THE CITY OF WINSTON-SALEM, is read the first time and referred to the Committee on Local and Regional Government I.

CALENDAR

Action is taken on the following:

Committee Substitute No. 2 for **H.R. 126,** A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

The resolution is adopted, by electronic vote (106-1), and ordered printed.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.R. 209,** A HOUSE RESOLUTION INVITING MISS HEATHER WHITESTONE, MISS AMERICA 1995, TO ADDRESS THE HOUSE OF REPRESENTATIVES.

The resolution is adopted, by electronic vote (104-0), and ordered printed.

H.B. 469, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE DAVIDSON COUNTY BOARD OF ELECTION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION.

The bill, as amended, passes its third reading, by electronic vote (72-32), and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 377,** A BILL TO BE ENTITLED AN ACT TO TRANSFER TO THE CHARLOTTE DEPARTMENT OF TRANSPORTATION THE AUTHORITY TO APPROVE CHANGES TO STREET NAMES WITHIN THAT CITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 104, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Fitch, Fox, Gamble, Gardner, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representatives Redwine and Wood - 2.

Excused absences: Representatives Aldridge, Berry, Bowie, Esposito, Grady, Hunt, R. Hunter, Luebke, Snowden, and Thompson - 10.

H.B. 202, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE OBSERVANCE OF A MOMENT OF SILENCE IN ALL SCHOOL UNITS AND TO ENSURE FREEDOM OF RELIGION IN THE PUBLIC SCHOOLS.

The bill, as amended, passes its third reading, by electronic vote (95-12), and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 24,** A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF FOOD STAMPS TO PARTICIPATE IN WORKFARE.

Representative Neely offers Amendment No. 1 which is adopted by electronic vote (104-0).

Representative W. Brown offers Amendment No. 2 which is adopted by electronic vote (107-0).

Representative Alexander offers Amendment No. 3 which fails of adoption by electronic vote (49-59).

Representative Sherrill states that her voting equipment malfunctioned, and she requests to be recorded as voting "no" on Amendment No. 3. This request is granted. The adjusted vote total is (49-60).

Representative Michaux inquires of the Chair if the bill should be sent to the Committee on Appropriations. The Speaker rules that it should not.

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (88-20).

The bill, as amended, passes its second reading by electronic vote (84-26).

Representative Daughtry objects to the third reading. The bill remains on the Calendar.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.J.R. 225, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE. (RESOLUTION 3)

INTRODUCTION OF PAGES

Pages for the week of March 20-24 are introduced to the membership. They are: Cherith Barkman of Alamance; Curt Boone of Wake; Ashleigh Bray of Chatham; Valerie Brown of Wilkes; Stephanie Carlyle of Franklin; Laurie Caudle of Chatham; Kelli Renee Clark of Guilford; Paul Cranfill of Wake; Erin DeJong of Beaufort; Holt Ellis of Chowan; Bridget Holton of Washington; Russell Johnson of Wake; Joe Lee of Harnett; Jackie Little of Pitt; Becky Lucas of Harnett; Tracey Ratley of Wilson; Jennifer Walters of Alexander; Grace White of Alamance; and Vandaly Wilson of Mitchell.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
March 20, 1995

Mr. Speaker:

Pursuant to **S.J.R. 225,** A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, the President Pro Tempore appoints as a committee on the part of the Senate to greet and escort the Chief Justice to the Joint Session in the Hall of the House of Representatives Tuesday, March 21, 1995, at 3:00 p.m.

Senator Cooper
Senator Soles
Senator Simpson
Senator Winner

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Daughtry, Neely, Linney, Hackney, Hensley, and Fitch as escorts on the part of the House and the Senate is so notified by Special Message.

On motion of Representative Morgan, seconded by Representative Tallent, the House adjourns at 9:43 p.m. to reconvene March 21 at 2:45 p.m.

THIRTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 21, 1995

The House meets at 2:45 p.m. pursuant to adjournment and is called to order by the Speaker.

"Our Heavenly Father, be honored in our minds and in our wills today. Law and order, truth and justice come from Thee. Your Holy Word declares, 'Shall not the Ruler of all the Earth do right. Let judgment run down as waters and righteousness as a mighty stream'. And, Your standard for man is 'to do justly, love mercy, and walk humbly with our God'. The framers of our Constitution used as a symbol a blindfolded lady with scales in her hand 'equal justice under the law' for all. As law makers give us wisdom and strength to perpetuate this ideal. Through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 20 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (69-0).

Leaves of absence are granted Representatives Aldridge, Berry, Esposito, Kiser, Snowden, and Wright for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives C. Wilson, Arnold, and Gray for the Committee on Finance:

S.B. 75, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXTENSION OF TIME FOR THE CITY OF RAEFORD TO FILE AN APPLICATION FOR A SALES TAX REFUND, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 22.

H.B. 206, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF FLAT ROCK, SUBJECT TO A REFERENDUM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 22.

S.B. 120, A BILL TO BE ENTITLED AN ACT TO PROVIDE UNIFORM TAX TREATMENT OF NORTH CAROLINA OBLIGATIONS AND FEDERAL OBLIGATIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Mercer and Russell:

H.B. 510, A BILL TO BE ENTITLED AN ACT TO ALLOW GREENE COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government I.

By Representatives Weatherly, Barbee, Carpenter, Clary, Culp, Cummings, Dickson, Edwards, Lemmond, Linney, Luebke, McMahan, Pate, Sexton, and Shubert:

H.B. 511, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TREBLE DAMAGES IN A CIVIL ACTION TO ENFORCE PAYMENT OF EXTRA DAY CHARGES FOR THE LATE RETURN OF A RENTED VIDEO CASSETTE TAPE, is referred to the Committee on Judiciary I.

By Representatives Redwine and Hill:

H.B. 512, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY COLLEGE STUDENTS ENROLLED IN HEALTH PROGRAMS ARE SUBJECT TO THE SAME IMMUNIZATION REQUIREMENTS AS FOR OTHER COLLEGE AND UNIVERSITY STUDENTS, is referred to the Committee on Health and Environment.

By Representative Lemmond:

H.B. 513, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFIT FOR RETIRED CHARLOTTE FIREFIGHTERS, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Pensions and Retirement.

By Representatives Barnes and Alexander:

H.B. 514, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTIFIED CLINICAL SOCIAL WORKERS TO FORM PROFESSIONAL CORPORATIONS, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Judiciary I.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 22,** A BILL TO BE ENTITLED AN ACT TO ALLOCATE FUNDS APPROPRIATED BY THE 1993 GENERAL ASSEMBLY TO THE SCHOOL TECHNOLOGY RESERVE, is read the first time and referred to the Committee on Education and, if favorable, to the Committee on Appropriations, Subcommittee on Education.

S.B. 317, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ADVISORY COMMITTEE ON HOME AND COMMUNITY CARE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 330, A BILL TO BE ENTITLED AN ACT TO ENSURE REPRESENTATION OF BOTH FOR-PROFIT AND NONPROFIT INSTITUTIONS ON THE STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS, is read the first time and referred to the Committee on State Government.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 24,** A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF FOOD STAMPS TO PARTICIPATE IN WORKFARE, is withdrawn from the Calendar and placed on the Calendar of March 22.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
March 21, 1995

Mr. Speaker:

It is ordered that a message be sent the House of Representatives that pursuant to **S.J.R. 225,** A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your

Honorable Body.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House stands ready to receive them in Joint Session at the hour appointed.

JOINT SESSION

Pursuant to Resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable Dennis Wicker, is seated to the right of the Speaker.

The Sergeant-at-Arms is recognized and he announces the approach of the Chief Judge and Judges of the Court of Appeals who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the Associate Justices of the Supreme Court who are seated in a body for the Joint Session.

The Speaker extends the courtesies of the gallery to Mrs. Lou Mitchell, wife of the Chief Justice.

The Speaker of the House relinquishes the gavel to the President of the Senate. The Joint Session is called to order by the President.

The Sergeant-at-Arms announces the approach of the Chief Justice of the Supreme Court. His Honor, Burley B. Mitchell, Jr., enters escorted by Senators Cooper, Soles, Simpson, and Winner; and Representatives Daughtry, Neely, Linney, Hackney, Fitch, and Hensley.

The President recognizes Senator Cooper who presents His Honor, Burley B. Mitchell, Jr., Chief Justice of the Supreme Court of North Carolina, to the Joint Assembly. (The full text of his address can be found in the Appendix.)

Upon completion of his address, the Chief Justice, joined by the Escort

Committee, leaves the hall of the house.

On motion of Senator Basnight, the joint session is dissolved and the Senate returns to its Chamber.

The House resumes its business.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 81, A BILL TO BE ENTITLED AN ACT TO REQUIRE MANDATORY ACTIVE JAIL SENTENCES FOR PERSONS CONVICTED OF DRIVING WHILE IMPAIRED WITH BLOOD ALCOHOL LEVELS OF MORE THAN FIFTEEN HUNDREDTHS PERCENT, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 18,** A BILL TO BE ENTITLED AN ACT TO ENSURE THE BEST USE OF DAY CARE FUNDS, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 103,** A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE INSURANCE FRAUD LAW, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.J.R. 236, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SENATOR JOHN BONNELL CODINGTON, MD., passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

On motion of Representative Morgan, pursuant to Rule 11, the following remarks by Representative McComas are spread upon the Journal.

"Thank you Mr. Speaker, Ladies and Gentlemen, and Members of the House.

"It was not much more than year ago that I said good-by to Dr. John Codington. Unbeknownst to me it would be for the last time.

"I had the honor to serve with Dr. Codington at a public hearing in Wilmington. He had already undergone surgery, but he was as always, gentle, modest, and not afraid to express his feelings.

"He touched our lives with so many different accomplishments.

"As a physician, he cured many from their illnesses.

"As a missionary, he devoted two weeks of every year to treat the sick and train those less fortunate in Haiti.

"As a family man, his loyalty to his wife Betsy and their three children was indisputable.

"Finally, as a Senator he did what he loved best, he served his fellow man.

"Unselfish and caring, and always there when you needed him, he did make this a better world.

"Let us honor Dr. John Codington.

"Thank you."

The bill passes its third reading and is ordered enrolled.

H.B. 331, A BILL TO BE ENTITLED AN ACT TO ALLOW DISABLED PERSONS TO APPLY TO THE WILDLIFE RESOURCES COMMISSION FOR HUNTING AND FISHING METHODS EXEMPTIONS

TO PROVIDE REASONABLE ACCOMMODATIONS FOR THEIR DISABILITIES, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 133,** A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF COLUMBUS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Lemmond, Linney, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Berry, Esposito, Kiser, Snowden, and Wright - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 145,** A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROANOKE RAPIDS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander,

Allred, Arnold, Baker, Barbee, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Berry, Esposito, Kiser, Snowden, and Wright - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 211, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO AUTHORIZE THE CITY COUNCIL TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS.

On motion of Representative Dickson, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 271, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON FUEL COST ADJUSTMENT FOR ELECTRIC UTILITIES, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Morgan, seconded by Representative Sharpe, the House adjourns at 4:33 p.m. to reconvene March 22 at 3:00 p.m.

THIRTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 22, 1995

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

" 'Bless the Lord oh my soul and all that is within me bless His holy name'. 'Here Granddad, you hold her, she's yours', my daughter-in-law said and handed the baby to me. I pressed her soft firm little body to my chest and felt her melt into my heart, her breath in fresh puffs of new life brushed my check, baby sounds crowded into my ear and sent tingles up and down my spine. Oh Father, in this real and sometimes cross world of high finance, power, stress, and politics, help those of us who make and shape the law to pause just long enough to hold a baby in our arms. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 21 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-0).

Leaves of absence are granted Representatives Aldridge, Dickson, Esposito, Mercer, and Snowden for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 271, AN ACT TO REMOVE THE SUNSET ON FUEL COST ADJUSTMENT FOR ELECTRIC UTILITIES. (CHAPTER 15).

S.J.R. 236, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SENATOR JOHN BONNELL CODINGTON, MD. (RESOLUTION 4)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 353, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Culp for the Committee on Public Employees:

H.B. 438, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE PERSONNEL ACT RELATING TO THE DEFINITION OF CAREER STATE EMPLOYEE, THE GROUNDS FOR STATE EMPLOYEE APPEALS, THE INVESTIGATORY DUTIES OF THE OFFICE OF STATE PERSONNEL, AND THE PRIORITY CONSIDERATION OF STATE EMPLOYEES IN FILLING VACANCIES; TO PROVIDE FOR THE ADOPTION OF AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE BY THE STATE PERSONNEL COMMISSION; AND TO ALLOW ALTERNATIVE OBSERVANCE OF THE NEW YEAR'S HOLIDAY, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 381, A BILL TO BE ENTITLED AN ACT TO GRANT THE TOWN OF APEX A TEMPORARY EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee

substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

S.B. 286, A BILL TO BE ENTITLED AN ACT TO REQUIRE LABORATORIES TO PERFORM COMPOSITE TESTING OF WATER SAMPLES AS PART OF THE LABORATORY CERTIFICATION PROGRAM IN AN EFFORT TO REDUCE COSTS OF WATER TESTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 313, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF MOUNT AIRY TO CHANGE FROM PARTISAN TO NONPARTISAN THE METHOD OF ELECTING THE MAYOR AND BOARD OF COMMISSIONERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 23.

H.B. 317, A BILL TO BE ENTITLED AN ACT RELATING TO ELECTIONS OF THE CITY OF WINSTON-SALEM AND THE COUNTY OF FORSYTH SO THAT THE GENERAL LAW WILL APPLY ON SHARING OF COSTS OF THE COUNTY BOARD OF ELECTIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 373, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 23.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to

committee:

By Representatives Clary, Carpenter, Kiser, McComas, Morgan, Rayfield, Reynolds, Sexton, Snowden, and Weatherly:

H.B. 515, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF THE TERM "RELEVANT MARKET AREA" IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, is referred to the Committee on Business and Labor.

By Representative Gray:

H.B. 516, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA DRUG TREATMENT COURT PROGRAM, is referred to the Committee on Judiciary I.

By Representatives Fox, Alexander, Church, Crawford, Mercer, Owens, and Wilkins:

H.B. 517, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN VANCE COUNTY BY PROVIDING FOR REGISTRATION AT ANY TIME AND BY ELIMINATING THE REQUIREMENT THAT REGISTRATION BE RENEWED ANNUALLY, is referred to the Committee on Local and Regional Government II.

By Representative Edwards (by request):

H.B. 518, A BILL TO BE ENTITLED AN ACT TO GRANT THE CITY OF WASHINGTON AN EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED, is referred to the Committee on Local and Regional Government II.

By Representative Edwards:

H.B. 519, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TRAPPING AND KILLING OF RED WOLVES BY OWNERS OF PRIVATE LAND IN BEAUFORT COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Beall and Ramsey:

H.B. 520, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WAYNESVILLE, is referred to the Committee on Local and Regional Government II.

By Representative Redwine:

H.B. 521, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXTENSION OF THE BEAVER DAMAGE CONTROL PILOT PROGRAM, is referred to the Committee on Appropriations.

By Representatives Arnold, Allred, Beall, Bowie, Buchanan, Capps, Carpenter, Clary, Creech, Culp, Davis, Dickson, Gray, Lemmond, Locke, McCrary, McMahan, Miner, Neely, Owens, Sharpe, Wilkins, and G. Wilson:

H.B. 522, A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF SINGLE-PRIME AND SEPARATE-PRIME CONTRACTS FOR BUILDING CONSTRUCTION CONTRACTS, is referred to the Committee on Judiciary II.

By Representatives H. Hunter, Adams, Barnes, Blue, Boyd-McIntyre, Braswell, Cummings, Cunningham, Earle, Fitch, Hackney, Hightower, Lemmond, Linney, Luebke, McAllister, Michaux, Oldham, Preston, Shaw, Wainwright, Warner, Womble, and Wright:

H.B. 523, A BILL TO BE ENTITLED AN ACT TO AMEND THE ZONING LAWS TO CLARIFY COUNTY AUTHORITY TO REGULATE BY ORDINANCE INTENSIVE HOG OPERATIONS TO PROTECT THE HEALTH, SAFETY, OR WELFARE OF COUNTY CITIZENS AND THE PEACE AND DIGNITY OF THE COUNTY, is referred to the Committee on Agriculture.

By Representatives H. Hunter and Fitch:

H.B. 524, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PUBLIC HEALTH BY REGULATING THE MANAGEMENT AND DISPOSAL OF ANIMAL WASTE BY INTENSIVE HOG OPERATIONS, is referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

By Representatives Redwine, Hill, and McComas:

H.B. 525, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS FOR THE CAPE FEAR RIVER PROGRAM, is referred to the Committee on Appropriations.

By Representatives Cocklereece, Adams, Bowie, Boyd-McIntyre, Culp, Decker, Sharpe, and Wood:

H.B. 526, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMITS RELATING TO THE LETTING OF PURCHASE CONTRACTS BY THE CITY OF GREENSBORO, is referred to the Committee on Local and Regional Government II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 20, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL IMPROVEMENT AND ACCOUNTABILITY ACT OF 1989, is read the first time and referred to the Committee on Education.

Committee Substitute for **S.B. 333,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF RUN HILL STATE NATURAL AREA TO THE STATE PARKS SYSTEM, is read the first time and referred to the Committee on State Government.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
March 20, 1995

Mr. Speaker:

On **S.B. 27,** (Committee Substitute), A BILL TO REPEAL THE PRISON POPULATION CAP, which House Committee Substitute bill proposed to change the title to read **S.B. 27,** (House Committee Substitute), A BILL TO REPEAL THE PRISON POPULATION CAP, TO RAISE THE LIMIT ON PRISON CAPACITY, TO AUTHORIZE THE PAROLE OF NONVIOLENT INMATES, TO AUTHORIZE CERTAIN CONTRACTS FOR THE HOUSING OF STATE PRISONERS IN LOCAL CONFINEMENT FACILITIES, TO ALLOW FOR THE CONTRACTING OF PRIVATE PRISONS, TO REMOVE THE LIMIT ON PRISONERS WHO MAY BE HOUSED IN NON-STATE OWNED FACILITIES, TO REMOVE THE

SUNSET ON CONTRACTS WITH OUT-OF-STATE PUBLIC CORRECTIONAL FACILITIES, AND TO ALLOW THE DEPARTMENT TO USE AVAILABLE FUNDS TO PROVIDE ADDITIONAL PRISON BEDS AND EMPLOY NECESSARY STAFF, it is ordered that a message be sent the House of Representatives with the information that the President of the Senate rules the measure out of order under the Executive Budget Act, the Senate has dismissed the conferees appointed to resolve the differences arising between the two Bodies, reconsidered the vote by which the Senate failed to concur, and the measure is ordered held in the Office of the Senate Principal Clerk.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CALENDAR

Action is taken on the following:

Committee Substitute No. 2 for **H.B. 133,** A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF COLUMBUS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Eddins, Edwards, Ellis, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Rogers, Russell, Sexton, Sharpe, Shaw, Shubert, Tallent, Thompson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Barbee, Dickson, Esposito,

Mercer, and Snowden - 6.

Committee Substitute for **H.B. 145,** A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROANOKE RAPIDS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Barbee, Dickson, Esposito, Mercer, and Snowden - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 206, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF FLAT ROCK, SUBJECT TO A REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan,

Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Barbee, Dickson, Esposito, Mercer, and Snowden - 6.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 24,** A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF FOOD STAMPS TO PARTICIPATE IN WORKFARE, is withdrawn from the Calendar and placed on the Calendar of March 28.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 375, A BILL TO BE ENTITLED AN ACT TO REMOVE THE LIMITATION ON FUNDING FOR THE PER DIEM COSTS OF INMATES HOUSED OUT-OF-STATE.

Representative Richardson offers Amendment No. 1 which is adopted by electronic vote (108-0).

The bill, as amended, passes its second reading, by electronic vote (106-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 405,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO REGULATE THE MANNER OF TAKING WILDLIFE NOT CLASSIFIED AS GAME ANIMALS, passes its second reading by electronic vote (95-14).

Representative Redwine objects to the third reading. The bill remains on the Calendar.

S.B. 75, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXTENSION OF TIME FOR THE CITY OF RAEFORD TO FILE AN APPLICATION FOR A SALES TAX REFUND, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Tallent for the Committee on Financial Institutions:

H.B. 459, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CANCELLATION OF A NOTE OR OTHER INDEBTEDNESS SECURED BY A DEED OF TRUST OR MORTGAGE BY EXECUTION OF A CERTIFICATE OF SATISFACTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 125, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON REVERSE MORTGAGES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

RE-REFERRAL

On motion of Representative Decker, pursuant to Rule 39.2, **H.B. 345,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF YAUPON BEACH TO CREATE A SEA TURTLE SANCTUARY, is withdrawn from the Committee on Local and Regional Government II and re-referred to the Committee on Local and Regional Government I.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Robinson and without objection, Committee Substitute for **H.B. 388,** A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED TOLERANCE FOR EXISTING TRUCK WEIGHTS, is withdrawn from the Calendar and re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Reynolds, the House adjourns at 3:47 p.m. to reconvene March 23 at 3:00 p.m.

THIRTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 23, 1995

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Kenneth Spivey, Pastor of Brannon Friends Church of Yadkinville.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 22 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-0).

Leaves of absence are granted Representatives Barbee, Brawley, Culpepper, Dickson, Esposito, Snowden, and Wilkins for today.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

March 23, 1995

MEMORANDUM

TO: Speaker Harold J. Brubaker

FROM: Representative W. Edwin McMahan, Chair of House Subcommittee on Community Colleges and Universities

RE: Subcommittee Report of Qualified Nominees for House Election to the Board of Governors of The University of North Carolina.

Listed below, by category, are the legally qualified nominees for consideration by the members of the House in the forthcoming election to the Board of Governors of The University of North Carolina under House Resolution 126. In order to indicate the results of the Subcommittee's votes for the information of the members of the House, the names of the nominees are ranked, within each category, in decreasing order by the number of votes received from the members of the Subcommittee, beginning with the nominee who received the highest number of votes. The members of the Subcommittee voted for their preferences at a meeting on March 16, 1995.

I certify that these nominees are legally qualified to serve and are willing to serve if elected.

CATEGORY	NAME	COUNTY
AT-LARGE	Morgan, W. Kenneth, Sr.	Onslow
(4 Seats	Biddy, F. Douglas	Durham
to fill)	Cobey, William W., Jr.	Orange
	Coward, Orville D., Sr.	Jackson
	Pope, Art	Wake
	Fennebresque, John C.	Mecklenburg
	Phillips, Earl N., Jr.	Guilford
	Maready, William	Forsyth
MINORITY	Brown, Robert J.	Guilford
(2 Seats	Buncum, Kelvin	Wake
to fill)	Dudley, Joe L., Sr.	Forsyth
	Horton, Larnie G., Sr.	Wake
WOMAN	Perry, Barbara S.	Lenoir
(2 Seats	Owen, Cary C.	Buncombe
to fill)	Lee, Estell C.	New Hanover

CALENDAR

Action is taken on the following:

ELECTION OF MEMBERS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA

Representative Luebke requests that he be excused from voting in the election under Rule 24.1A and this request is granted.

Representative McMahan and the Speaker explain the rules of voting to the membership.

Pursuant to **H.R. 126,** ballots are distributed to the members and the election proceeds.

Representative McMahan, along with Representatives Barnes, Grady, Oldham, and Cummings, retire from the Chamber to canvass the vote.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

NORTH CAROLINA HOUSE OF REPRESENTATIVES

OFFICE OF THE SPEAKER

TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES

Section 1. Pursuant to the authority vested in me by Resolution 1. of the North Carolina House of Representatives, Session 1995, Section V, Rule 26(a), and Article 5(A), Section 120-19.1 et seg., of the North Carolina General Statutes, I do hereby establish:

THE SELECT COMMITTEE FOR PERSONNEL REVIEW

The following members of the North Carolina House of Representatives are appointed as members of this Select Committee:

Representative Carolyn B. Russell, Co-Chair
Representative Gregg Thompson, Co-Chair
Representative James B. Black
Representative Flossie Boyd-McIntyre
Representative J. Shawn Lemmond

Representative Charles B. Neely, Jr.
Representative Arlene C. Pulley
Representative Wilma M. Sherrill
Representative Walter Church, Sr.

Section 2. It shall be the duty of this Select Committee to examine witnesses, documents and any other information as it may deem necessary concerning the application, administration, practice, or violation of Chapter 126 of the General Statutes of North Carolina or any other statutes or applicable law relative to the rights, duties and obligations of any employee of the state of North Carolina, including, but not limited to:

(a) The examination of allegations of abuse in the administration of the State Personnel System in particular as it relates to Article 5 of Chapter 126 of the General Statutes.

(b) The selective application of reductions in force to individual employees not otherwise subject to dismissal for cause or by exemption from the State Personnel Act.

(c) The review of issues and policies being considered before the State Personnel Commission, Public Employees Committee, State Employees Association and the Office of State Personnel.

(d) The development of legislation to reform, streamline, and make more efficient the State Personnel Act and its administration, with particular emphasis on departmental flexibility, the equitable treatment of state employees, downsizing personnel administration, and the integration of personnel policies more consistent with those employed in the private sector.

Section 3. The Select Committee shall submit an interim report to the 1995 Second Session and a final report of its

findings and recommendations to the 1997 Regular Session of the General Assembly by filing a final report of its findings and recommendations with the Speaker of the House of Representatives on or before December 31, 1996. The final report shall contain the findings, recommendations, and any legislative proposals of the Select Committee.

Section 4. The Select Committee is hereby vested with all of the authority set out in Article 5A of Chapter 120 of the General Statutes including, but not limited to, the authority to administer oaths, examine under oath, the issuance of subpoenas pursuant to N.C.G.S. 120-19.2(c), and to request data and information pursuant to N.C.G.S. 120-19.

Section 5. If requested by a witness or by a majority of the Select Committee, the Committee may meet in closed session solely for the purposes set out in N. C. G. S. 143-318.11(a)(1)(3)(6) and (7).

Section 6. The Select Committee is authorized to meet during sessions of the General Assembly, during recesses, and in the interim periods between sessions, upon the call of either of its' Co-Chairs.

Section 7. Members of the Select Committee shall receive per diem, subsistence and travel allowance at the rate established in 120-3.1.

Section 8. The expenses of the Select Committee including per diem, subsistence, travel allowances, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker pursuant to N.C.G.S. 120-32.02(c) and 120-35 from funds available to the House of Representatives for its operations.

Section 9. The members of this Select Committee serve at the pleasure of the Speaker of the House who may dissolve the Select Committee at any time before 31 December 1996, at which time this Select Committee shall dissolve.

Effective this 23rd day of March 1995.

S/ Harold J. Brubaker
Speaker of the North Carolina
House of Representatives

Attest:
S/ Denise Weeks
Principal Clerk

NORTH CAROLINA HOUSE OF REPRESENTATIVES

OFFICE OF THE SPEAKER

TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES

Section 1. Pursuant to the authority vested in me by Resolution 1. of the North Carolina House of Representatives, Session 1995, Section V, Rule 26(a), and Article 5(A), Section 120-19.1 et seg., of the North Carolina General Statutes, I do hereby establish:

THE SELECT COMMITTEE ON TORT REFORM

The following members of the North Carolina House of Representatives are appointed as members of this Select Committee:

Representative N. Leo Daughtry, Chair
Representative David Miner
Representative Larry R. Linney
Representative Richard T. Morgan
Representative Dewey L. Hill
Representative Bill Culpepper
Representative Charles B. Neely, Jr.
Representative Fern Shubert
Representative Billy Richardson

Section 2. It shall be the duty of this Select Committee to examine

witnesses, documents and any other information as it may deem necessary concerning the application, administration and practice of tort law or any other statutes or applicable law relative to the rights, duties and obligations of citizens of the State of North Carolina, as it relates to tort law.

The committee shall review any bills introduced and referred to it by the Speaker and report same to the full house including but not limited to bills formulated by the Select Committee itself.

Section 3. The Select Committee is hereby vested with all of the authority set out in Article 5A of Chapter 120 of the General Statutes including, but not limited to, the authority to administer oaths, examine under oath, the issuance of subpoenas pursuant to N. C. G. S. 120-19.2(c), and to request data and information pursuant to N.C.G.S. 120-19.

Section 4. The Select Committee is authorized to meet during sessions of the General Assembly, during recesses, and in the interim periods between sessions, upon the call of its' chair.

Section 5. Members of the Select Committee shall receive per diem, subsistence and travel allowance at the rate established in 120-3.1.

Section 6. The expenses of the Select Committee including per diem, subsistence, travel allowances, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker pursuant to N.C.G.S. 120-32.02(c) and 120-35 from funds available to the House of Representatives for its operations.

Section 7. The members of this Select Committee serve at the pleasure of the Speaker of the House who may dissolve the Select Committee at any time before 31 December 1996, at which time this Select Committee shall dissolve.

Effective this 23rd day of March 1995.

S/ Harold J. Brubaker
Speaker of the North Carolina
House of Representatives

Attest:
S/ Denise Weeks
Principal Clerk

COMMITTEE ASSIGNMENTS

The Speaker makes the following committee assignments.

PUBLIC EMPLOYEES: add Representative Edwards, remove Representative Ellis

APPROPRIATIONS:

SUBCOMMITTEE ON TRANSPORTATION: add Representative Morgan

STATE GOVERNMENT:

SUBCOMMITTEE ON BOARDS AND COMMISSIONS: remove Representative Thompson

BUSINESS AND LABOR:

SUBCOMMITTEE ON TRAVEL AND TOURISM: add Representative Thompson

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 345, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF YAUPON BEACH TO CREATE A SEA TURTLE

SANCTUARY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Daughtry for the Committee on Judiciary I:

Committee Substitute for **S.B. 54,** A BILL TO BE ENTITLED AN ACT TO MAKE STATUTORY CONFORMING CHANGES NECESSITATED BY AN ACT TO PROVIDE FOR A GUBERNATORIAL VETO, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

On request of Representative Dickson, Representative G. Miller sends forth the following report for the Committee on Public Utilities:

S.B. 207, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BOND REQUIREMENTS FOR PUBLIC UTILITIES PROVIDING WATER OR SEWER SERVICES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Miner for the Committee on Transportation:

H.B. 120, A BILL TO BE ENTITLED AN ACT TO REVISE THE WINDOW TINTING LAWS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 327, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN INCREASED PENALTY FOR FAILURE TO DIM BEAMS OF HEADLIGHTS AND AUXILIARY DRIVING LAMPS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

H.B. 409, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DRUGS TO THE CONTROLLED SUBSTANCES LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 314, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO MOUNT AIRY'S FIREFIGHTERS' SUPPLEMENTARY FUND, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Pensions and Retirement.

The committee substitute bill is re-referred to the Committee on Pensions and Retirement. The original bill is placed on the Unfavorable Calendar.

H.B. 330, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 374, A BILL TO BE ENTITLED AN ACT TO AMEND THE EXTENSION OF BEAR HUNTING SEASON IN PASQUOTANK AND CAMDEN COUNTIES AND TO INCLUDE CURRITUCK COUNTY IN THAT EXTENSION OF THE SEASON, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 492, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CLAYTON TO USE THE SINGLE-PRIME CONTRACTOR METHOD OF CONSTRUCTING THE HOCUTT-ELLINGTON LIBRARY

ADDITION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 27.

H.B. 372, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MADISON COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE IN JULY OF THE YEAR OF THEIR ELECTION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

H.B. 208, A BILL TO BE ENTITLED AN ACT TO ALLOW JACKSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 220, A BILL TO BE ENTITLED AN ACT TO PROVIDE COUNTIES WITH INFORMATION TO ENABLE THEM TO VERIFY CLAIMS FOR REFUNDS OF THEIR LOCAL SALES AND USE TAX, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

RE-REFERRAL

On motion of Representative Ellis, pursuant to Rule 39.2, **H.B. 212,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO USE THE SINGLE-PRIME CONTRACT SYSTEM FOR THE EXPANSION OF SEWAGE TREATMENT FACILITIES, is withdrawn from the Committee on Local and Regional Government I and re-referred to the Committee on Local and Regional Government II.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Richardson and Creech:

H.B. 527, A BILL TO BE ENTITLED AN ACT TO DIVIDE SUPERIOR COURT DISTRICT 11 INTO DISTRICTS 11A AND 11B, is referred to the Committee on Judiciary I.

By Representative Wood:

H.B. 528, A BILL TO BE ENTITLED AN ACT TO REMOVE THE RESTRICTIONS ON JUDICIAL CAMPAIGNS, is referred to the Committee on Judiciary I.

By Representatives Gamble, Kiser, and Berry:

H.B. 529, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE RECREATION COMMISSION OF THE TOWN OF LINCOLNTON TO CONVEY BY PRIVATE SALE CERTAIN PROPERTY TO THE CITY OF LINCOLNTON, is referred to the Committee on Local and Regional Government II.

By Representative Ramsey:

H.B. 530, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE AND EMERGENCY STABILIZATION OF THE SHOOK-SMATHERS HOUSE, is referred to the Committee on Appropriations.

By Representatives Davis, Allred, Arnold, Brawley, W. Brown, Buchanan, Cansler, Capps, Church, Culp, Decker, Edwards, Fox, Grady, Hayes, Hiatt, Hill, Ives, Linney, Mitchell, Nichols, Pate, Reynolds, Robinson, Sexton, Shaw, Shubert, Snowden, Sutton, Wainwright, C. Wilson, and G. Wilson:

H.B. 531, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN SECURITIES FROM THE STATE REGISTRATION REQUIREMENTS, is referred to the Committee on Judiciary II.

By Representatives Decker, Allred, J. Brown, Buchanan, Capps,

Cocklereece, Davis, Nichols, Pulley, and G. Wilson:

H.B. 532, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PRE-1959 ANNEXATION LAW BY REQUIRING A REFERENDUM ON ANNEXATION ON PETITION OF THE RESIDENTS BEING ANNEXED, AND TO ALLOW THE CITY TO PROVIDE FOR A REFERENDUM ON ANNEXATION, is referred to the Committee on Judiciary I.

By Representatives Decker and Esposito:

H.B. 533, A BILL TO BE ENTITLED AN ACT RELATING TO NOTICES OF LIS PENDENS BY THE CITY OF WINSTON-SALEM, is referred to the Committee on Local and Regional Government II.

By Representatives Decker and Hurley:

H.B. 534, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EVIDENCE THAT A MOTOR VEHICLE PASSED A STOPPED SCHOOL BUS IS PRIMA FACIE EVIDENCE THAT THE OWNER OF THE VEHICLE WAS OPERATING IT AT THE TIME OF THE VIOLATION, is referred to the Committee on Judiciary II.

By Representatives Morgan, Hurley, Sexton, and Wainwright:

H.J.R. 535, A JOINT RESOLUTION HONORING THE VETERANS OF NORTH CAROLINA WHO SERVED DURING WORLD WAR II, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Dickson:

H.B. 536, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT GASTON COUNTY MAY USE THE PROCEEDS OF ITS OCCUPANCY TAX ONLY FOR ECONOMIC DEVELOPMENT AND TO PROMOTE TRAVEL AND TOURISM, is referred to the Committee on Local and Regional Government II.

By Representative Dickson:

H.B. 537, A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, is referred to the

Committee on Education, Subcommittee on Community Colleges and Universities.

By Representatives Warner, Allred, Barbee, Blue, Cansler, Capps, Clary, Cocklereece, Gamble, Hightower, H. Hunter, Hurley, Lee, Linney, McAllister, McMahan, K. Miller, Nichols, Oldham, Pate, Rayfield, Reynolds, Sexton, Sharpe, Tallent, Wainwright, Weatherly, G. Wilson, and Yongue:

H.B. 538, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ISSUANCE OF FREE REGISTRATION PLATES TO RECIPIENTS OF THE PURPLE HEART MEDAL, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Sherrill, Cansler, and Linney:

H.B. 539, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON ANNEXATION IN BUNCOMBE COUNTY IF REQUESTED BY RESIDENTS OF THE AREA TO BE ANNEXED, is referred to the Committee on Judiciary I.

By Representatives C. Wilson, Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Davis, Dickson, Dockham, Earle, Easterling, Ellis, Fox, Gamble, Hayes, Hensley, Hiatt, Hightower, Hill, H. Hunter, Hurley, Ives, Kiser, Lee, Lemmond, Locke, McAllister, McComas, McCrary, McLaughlin, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Pate, Preston, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Sutton, Tallent, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue:

H.B. 540, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ACCELERATION OF THE CONSTRUCTION OF THE URBAN LOOPS AND PAVING OF UNPAVED SECONDARY ROADS WITH THE USE OF BONDS OR OTHER PRUDENT METHODS OF FINANCING, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representative Ellis:

H.B. 541, A BILL TO BE ENTITLED AN ACT TO ESTABLISH

UNIFORM PROVISIONS FOR LOCAL OCCUPANCY TAXES, is referred to the Committee on Finance.

By Representative Tallent:

H.B. 542, A BILL TO BE ENTITLED AN ACT TO ALLOW LENDERS TO COLLECT FEES, INTEREST, AND CHARGES FOR CERTAIN LOANS AND EXTENSIONS OF CREDIT IN AMOUNTS AGREED UPON BY THE PARTIES, WITH NO STATUTORY MAXIMUM LIMIT, AND TO AUTHORIZE COMPUTATION OF REBATES BY THE SIMPLE INTEREST METHOD ON CONTRACTS GOVERNED BY THE RETAIL INSTALLMENT SALES ACT, is referred to the Committee on Financial Institutions and, if favorable, to the Committee on Finance.

By Representative Culpepper:

H.B. 543, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE DARE COUNTY GEOGRAPHICAL INFORMATION SYSTEM, is referred to the Committee on Local and Regional Government II.

By Representatives Nye, Earle, Hurley, Luebke, and Wainwright:

H.B. 544, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TEACCH PROGRAM, WHICH PROVIDES EDUCATION AND TREATMENT TO CHILDREN AND ADULTS WITH AUTISM AND OTHER COMMUNICATION HANDICAPS, is referred to the Committee on Appropriations, Subcommittee on Education.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 237,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE USE VALUE TAX LAW, TO UPDATE THE LAW TO CONFORM TO MODERN FAMILY PROPERTY TRANSACTIONS, AND TO EXPAND THE CATEGORY OF RELATIVES WHO MAY QUALIFY FOR USE VALUE PROPERTY TRANSFERS, is read the first time and referred to the Committee on Finance.

S.B. 241, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO SELL SOUVENIRS ON

FERRIES AND AT FERRY FACILITIES, is read the first time and referred to the Committee on Transportation.

S.B. 264, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF BETHANIA, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF DALLAS TO ENACT A PROPERTY MAINTENANCE ORDINANCE AND TO ASSESS CERTAIN COSTS OF ENFORCEMENT AS A LIEN AGAINST THE PROPERTY, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 282, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ROCKINGHAM TO MAKE SATELLITE ANNEXATIONS OF LESS THAN AN ENTIRE SUBDIVISION WHEN THE PROPERTY IS DEVELOPED FOR COMMERCIAL OR INDUSTRIAL USE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 348, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE TO USE THE SETOFF DEBT COLLECTION ACT TO RECOUP FUNDS OWED BY TEACHERS WHO DO NOT FULFILL THEIR OBLIGATIONS UNDER THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS PROGRAM, is read the first time and referred to the Committee on Education.

RE-REFERRAL

On motion of Representative Morgan and without objection, pursuant to Rule 39.2, **H.B. 461,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF RED LIGHTS ON VEHICLES TRANSPORTING BLOOD, is withdrawn from the Committee on Transportation and re-referred to the Committee on Business and Labor.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 373,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES, is withdrawn from the Calendar and placed on the Calendar of March 27.

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 167,** A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES NOT TO BILL FOR PROPERTY TAXES ON CERTAIN VEHICLES WHEN THE AMOUNT DUE ON THE TAX BILL IS LESS THAN THE COST OF PREPARING AND SENDING THE BILL, is withdrawn from the Calendar and placed on the Calendar of March 30.

CALENDAR (continued)

H.B. 206, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF FLAT ROCK, SUBJECT TO A REFERENDUM, passes its third reading by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gardner, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Pulley, Ramsey, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 101.

Voting in the negative: None.

Excused absences: Representatives Barbee, Barnes, Brawley, Culpepper, Cummings, Dickson, Esposito, Grady, McMahan, Oldham, Snowden, and Wilkins - 12.

H.B. 313, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF MOUNT AIRY TO CHANGE FROM PARTISAN TO NONPARTISAN THE METHOD OF ELECTING THE MAYOR AND BOARD OF COMMISSIONERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 33,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE ANNUAL RENEWAL FEE FOR A REAL ESTATE LICENSE AND TO REQUIRE PAYMENT OF THE APPLICATION FEE EACH TIME AN APPLICANT TAKES THE REAL ESTATE EXAMINATION, passes its second reading by the following vote and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Fitch, Gardner, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 98.

Voting in the negative: Representatives Baker, Fox, and Wood - 3.

Excused absences: Representatives Barbee, Barnes, Brawley, Culpepper, Cummings, Dickson, Esposito, Grady, McMahan, Oldham, Snowden, and Wilkins - 12.

Committee Substitute for **H.B. 405,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO REGULATE THE MANNER OF TAKING WILDLIFE NOT CLASSIFIED AS GAME ANIMALS.

Representative Luebke offers Amendment No. 1 which fails of adoption by electronic vote (34-65).

The bill passes its third reading, by electronic vote (90-11), and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 86,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE IDENTIFICATION OF THE NONSUPPORTING

PARENT OF ANY CHILD RECEIVING PUBLIC ASSISTANCE, TO REQUIRE THE MOTHER TO IDENTIFY THE PERSON REASONABLY BELIEVED TO BE THE FATHER, TO REQUIRE THE STATE REGISTRAR TO PROVIDE PATERNITY AFFIDAVITS TO THE CHILD SUPPORT ENFORCEMENT SECTION OF THE DIVISION OF SOCIAL SERVICES, AND TO REQUIRE THE DIVISION OF SOCIAL SERVICES TO STUDY CLAIMS OF GOOD CAUSE FOR REFUSING TO ESTABLISH PATERNITY.

Representative Howard offers Amendment No. 1 which is adopted by electronic vote (101-0).

Representative Hackney offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (98-3), and there being no objection is read a third time.

On motion of Representative Braswell and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of March 27.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 108,** A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIALIZED REGISTRATION PLATES FOR RETIRED CLERKS OF SUPERIOR COURT, passes its second reading, by the following vote, and there being no objection is read a third time.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Baker, Beall, Black, Bowen, Bowie, Boyd-McIntyre, J. Brown, W. Brown, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Cunningham, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Fox, Gardner, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Tallent, Thompson, Wainwright, Warner, Watson, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 79.

Voting in the negative: Representatives Allred, Berry, Braswell, Creech, Daughtry, Fitch, Hackney, Hensley, Hurley, Linney, Michaux, Neely, Rogers, and Weatherly - 14.

Excused absences: Representatives Barbee, Barnes, Brawley, Culpepper, Cummings, Dickson, Esposito, Grady, McMahan, Oldham, Snowden, Tolson, and Wilkins - 13.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Baker, Beall, Black, Bowen, Bowie, Boyd-McIntyre, J. Brown, W. Brown, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Cunningham, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fox, Gardner, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Wainwright, Warner, Watson, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 81.

Voting in the negative: Representatives Allred, Berry, Braswell, Creech, Daughtry, Fitch, Hackney, Hensley, H. Hunter, Lee, Linney, Michaux, Nichols, Rogers, and Weatherly - 15.

Excused absences: Representatives Barbee, Barnes, Brawley, Culpepper, Cummings, Dickson, Esposito, Grady, McMahan, Oldham, Snowden, Tolson, and Wilkins - 13.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative R. Hunter and without objection, **H.B. 81,** A BILL TO BE ENTITLED AN ACT TO REQUIRE MANDATORY ACTIVE JAIL SENTENCES FOR PERSONS CONVICTED OF DRIVING WHILE IMPAIRED WITH BLOOD ALCOHOL LEVELS OF MORE THAN FIFTEEN HUNDREDTHS PERCENT, is withdrawn from the Calendar and placed on the Calendar of March 29.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from permanent subcommittees are presented:

By Representative Hiatt for the Permanent Subcommittee on Travel and

Tourism:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO ENACT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO CLARIFY THE AUTHORITY OF THE BUILDING CODE COUNCIL TO ADOPT PROVISIONS REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF SMOKE DETECTORS, reported to the Standing Committee on Business and Labor with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

By Representative Shubert for the Permanent Subcommittee on Families of the Standing Committee on Welfare Reform and Human Resources, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 260, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO AID CERTAIN WORKING PARENTS OF LOW-INCOME CHILDREN WHO ARE NOT CURRENTLY RECEIVING CHILD CARE SUBSIDIES TO RECEIVE SUBSIDIES TO ENABLE THEM TO CONTINUE TO WORK, AND TO APPROPRIATE FUNDS, with a favorable report.

On motion of the Chair, pursuant to Rule 38(b), the bill is re-referred to the Committee on Appropriations.

Representative Shubert further reports:

H.B. 262, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO APPROPRIATE FUNDS TO PROVIDE CHILD CARE RESOURCES AND REFERRAL SERVICES TO CERTAIN COUNTIES UNSERVED BY EARLY CHILDHOOD EDUCATION AND DEVELOPMENT INITIATIVES THAT ARE CURRENTLY UNABLE TO USE ALL THEIR DAY CARE ALLOCATIONS, to the Standing Committee on Welfare Reform and Human Resources, with an unfavorable recommendation.

By Representative Buchanan for the Permanent Subcommittee on

Military, Veterans, and Indian Affairs:

H.B. 437, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE STATE OF NORTH CAROLINA TO ESTABLISH A STATE VETERANS HOME PROGRAM IN THE DIVISION OF VETERANS AFFAIRS OF THE DEPARTMENT OF ADMINISTRATION, reported to the Standing Committee on State Government with a favorable recommendation, as amended, and recommend that the bill be re-referred to the Committee on Finance.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 75, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXTENSION OF TIME FOR THE CITY OF RAEFORD TO FILE AN APPLICATION FOR A SALES TAX REFUND. (CHAPTER 16)

S.B. 104, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES. (CHAPTER 17)

RESULTS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA ELECTION

Representative McMahan, Chair of the Permanent Subcommittee on Community Colleges and Universities of the Standing Committee on Education, makes the following report concerning the Board of Governors of the University of North Carolina election.

A total of 112 members voted in the election, with 3 ballots being voided, thus 55 votes constitute a majority in the election.

In the At-large Category, Earl N. Phillips, Jr., received 91 votes; W. Kenneth Morgan received 79 votes; Orville D. Coward, Sr., received 72 votes; John C. Fennebresque received 57 votes; Art Pope received 55 votes; William W. Cobey, Jr., received 45 votes; F. Douglas Biddy received 23 votes; and William Maready received 13 votes.

In the Minority Category, Robert J. Brown received 90 votes;

Larnie G. Horton, Sr., received 71 votes; Joe L. Dudley, Sr., received 35 votes; and Kelvin Buncum received 22 votes.

In the Woman's Category, Cary C. Owen received 92 votes; Barbara S. Perry received 87 votes; and Estell C. Lee received 39 votes.

On motion of Representative McMahan, the following persons are duly elected for terms to the Board of Governors of the University of North Carolina.

In the At-large Category, Earl N. Phillips, Jr; W. Kenneth Morgan; Orville D. Coward, Sr.; and John C. Fennebresque are elected.

In the Minority Category, Robert J. Brown and Larnie G. Horton, Sr., are elected.

In the Woman's Category, Cary C. Owen and Barbara S. Perry are elected.

The Senate is so notified of the action taken by Special Message.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representative Hiatt for the Permanent Subcommittee on Travel and Tourism:

H.B. 280, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF CERTAIN PRYOTECHNICS IN NORTH CAROLINA, reported to the Standing Committee on Business and Labor, with a favorable recommendation as to proposed committee substitute bill which changes the title, unfavorable as to original bill.

On motion of Representative Morgan, seconded by Representative Aldridge, the House adjourns at 4:35 p.m., in memory of the 24 paratroopers who died one year ago today in Fort Bragg, to reconvene Monday, March 27, 1995, at 7:00 p.m.

THIRTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 27, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, thank You for this soft and gentle season, this world so exuberant in color, so full of the zest of new life, so evidently touched by Your hand. Thank You for worship yesterday, for the privilege of hearing the Gospel preached again by a man driven by an inner compulsion, a calling to do what he was doing. I thought of the men and women of this House who too are here because of a sense of call, an inner urging to be involved, to effect change, to make life better, to sustain integrity through law. It has cost each one a lot to be here, to get elected, to serve, and so please help us this week to be true to our call, and to fail not man nor Thee. Through Christ our Lord. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 23 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-0).

Leaves of absence are granted Representatives Esposito and Wainwright for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 197, AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF ROSEBORO. (CHAPTER 18)

H.B. 205, AN ACT TO ADD ALEXANDER, BURKE, CALDWELL,

AND MCDOWELL COUNTIES TO THOSE COUNTIES REQUIRING THAT ALL VESSELS CARRY PERSONAL FLOTATION DEVICES. (CHAPTER 19)

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representative G. Wilson for the Permanent Subcommittee on Labor Relations and Employment:

H.B. 452, A BILL TO BE ENTITLED AN ACT TO AMEND THE PSYCHOLOGY PRACTICE ACT, reported to the standing committee on Business and Labor, with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill.

SUBCOMMITTEE REFERRALS

Representative Robinson, Chair for the Standing Committee on Business and Labor, refers:

H.B. 424, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES REGARDING THE INSPECTION OF ELEVATORS AND RELATED DEVICES, AND REGARDING THE COLLECTION OF FEES THEREFOR, to the Permanent Subcommittee on Travel and Tourism.

H.B. 443, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL REAL ESTATE APPRAISERS TO BE LICENSED AND TO PROVIDE FOR THE REGISTRATION OF TRAINEE REAL ESTATE APPRAISERS, to the Permanent Subcommittee on Travel and Tourism.

H.B. 361, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO PLEDGE BLOCK GRANT FUNDS AS LOAN GUARANTEES PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT, to the Permanent Subcommittee on Economic Expansion and Growth.

H.B. 422, A BILL TO BE ENTITLED AN ACT TO PROMOTE ECONOMIC DEVELOPMENT BY REMOVING TECHNICAL

REQUIREMENTS FOR THE FORMATION OF NORTH CAROLINA ENTERPRISE CORPORATIONS, to the Permanent Subcommittee on Economic Expansion and Growth.

H.B. 475, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA CAPITAL ACCESS AUTHORITY TO PROVIDE EQUITY AND CREDIT FINANCING TO SMALL AND MEDIUM-SIZED BUSINESSES TO CREATE JOBS FOR NORTH CAROLINA, to the Permanent Subcommittee on Economic Expansion and Growth.

H.B. 447, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN AMBULANCE PROVIDER LICENSE, to the Permanent Subcommittee on Labor Relations and Employment.

H.B. 515, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF THE TERM "RELEVANT MARKET AREA" IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, to the Permanent Subcommittee on Labor Relations and Employment.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives J. Brown, Culp, Holmes, Howard, R. Hunter, Justus, Lemmond, Ramsey, Robinson, Russell, Shubert, Weatherly, and G. Wilson:

H.B. 545, A BILL TO BE ENTITLED AN ACT TO BROADEN THE LAW PROVIDING FOR THE ESTABLISHMENT OF CARTWAYS, is referred to the Committee on Judiciary I.

By Representatives Cocklereece, Adams, Berry, Bowie, Boyd-McIntyre, Culp, Cummings, Decker, Easterling, Lemmond, McMahan, Rayfield, Sharpe, Weatherly, and Wood:

H.B. 546, A BILL TO BE ENTITLED AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT WITH RETRIEVABLE BALLOTS IN GASTON, GUILFORD, AND MECKLENBURG COUNTIES, is referred to the Committee on Local and Regional Government II.

By Representatives Sutton, Cummings, Hill, Redwine, and Yongue:

H.B. 547, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF A SOUTHEASTERN FARMERS' MARKET AND EQUESTRIAN/AGRICULTURAL CENTER, is referred to the Committee on Appropriations.

By Representatives Wright, Adams, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Church, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hill, H. Hunter, Lee, Luebke, McAllister, McComas, McCrary, Nye, Oldham, Owens, Ramsey, Redwine, Rogers, Shaw, Sutton, Tolson, Wainwright, Wilkins, Womble, and Yongue:

H.B. 548, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT LOCAL MOSQUITO CONTROL DISTRICTS AND OTHER UNITS OF LOCAL GOVERNMENT ENGAGED IN MOSQUITO CONTROL, is referred to the Committee on Appropriations.

By Representatives Wright, Adams, Barnes, Blue, Boyd-McIntyre, Braswell, Cummings, Cunningham, Earle, Easterling, Fitch, H. Hunter, Linney, Luebke, McAllister, McCrary, Michaux, Oldham, Shaw, Sutton, Wainwright, Wilkins, and Womble:

H.B. 549, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE EFFORTS FOR THE PREVENTION OF AIDS, is referred to the Committee on Appropriations.

By Representatives Culp and Dockham:

H.B. 550, A BILL TO BE ENTITLED AN ACT TO ALLOW RANDOLPH COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representatives Easterling, Adams, Alexander, Black, Boyd-McIntyre, Church, Cunningham, Earle, Fitch, Fox, Gray, Linney, Luebke, McLaughlin, McMahan, Michaux, G. Miller, Oldham, Robinson, Tolson, Wainwright, Wilkins, Womble, Wright, and Yongue:

H.B. 551, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A GRASSROOTS SCIENCE MUSEUM PROGRAM BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION, is referred to the Committee on Appropriations.

By Representatives Adams, Blue, Bowie, Boyd-McIntyre, Cocklereece, Cunningham, Earle, Easterling, H. Hunter, McLaughlin, Michaux, Sharpe, Shaw, Wainwright, and Womble:

H.B. 552, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO LARGE URBAN CITIES WHERE THE OWNER OF SUBSTANDARD PROPERTY CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH THE UNIT BY SIMPLY CLOSING IT, is referred to the Committee on Judiciary I.

By Representatives Davis and W. Brown (Co-Sponsors):

H.B. 553, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT REQUIRING HARNETT COUNTY'S ANIMAL CONTROL OFFICERS TO PERFORM THEIR DUTIES UNDER THE SUPERVISION AND CONTROL OF THE HARNETT COUNTY HEALTH DIRECTOR, is referred to the Committee on Local and Regional Government II.

By Representatives Black, Brawley, Fitch, Hackney, Lemmond, Luebke, McMahan, Pulley, and Wainwright:

H.B. 554, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FLAGS TO SIGNAL THE PRESENCE OF SKIERS AND OTHER PERSONS IN THE WATER, is referred to the Committee on Health and Environment.

By Representatives Black and Hensley:

H.B. 555, A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA BOXING COMMISSION, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Finance.

By Representatives Miner, Arnold, Buchanan, Church, Clary, Crawford, Creech, Culpepper, Daughtry, Dickson, Dockham, Edwards, Gamble, Howard, Hunt, Ives, Locke, McCrary, McLaughlin, Mercer, Pate, Rayfield, Russell, Tallent, Tolson, Wainwright, Weatherly, Wilkins, and Yongue:

H.B. 556, A BILL TO BE ENTITLED AN ACT TO ENABLE JOINT MUNICIPAL POWER AGENCIES TO ENGAGE IN ELECTRIC SYSTEM ACTIVITIES AT THE DISTRIBUTION LEVEL, TO PERMIT TWO EXISTING JOINT MUNICIPAL POWER AGENCIES TO EFFECT

CORPORATE REORGANIZATION, AND TO MAKE TECHNICAL CHANGES TO THE STATUTES GOVERNING JOINT MUNICIPAL POWER AGENCIES, is referred to the Committee on Public Utilities.

By Representative Daughtry:

H.B. 557, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT JOHNSTON COUNTY SHALL BE REQUIRED TO ENFORCE THE PROHIBITION AGAINST DOGS RUNNING AT LARGE ONLY UPON THE FILING OF A COMPLAINT BY A CITIZEN OF THE COUNTY, is referred to the Committee on Judiciary I.

By Representative Brawley:

H.B. 558, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF CATAWBA TO ANNEX AREAS LYING WITHIN THE CORPORATE BOUNDARIES OF THAT TOWN, is referred to the Committee on Local and Regional Government II.

By Representatives Cocklereece, Cansler, Capps, Carpenter, Clary, Cummings, Davis, Kiser, Lemmond, Linney, McComas, McMahan, K. Miller, Pate, Rayfield, Sharpe, Snowden, Weatherly, and Wood:

H.B. 559, A BILL TO BE ENTITLED AN ACT TO MAKE THE LEGISLATIVE RETIREMENT SYSTEM OPTIONAL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Culpepper and Redwine:

H.B. 560, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF APPELLATE JUSTICES AND JUDGES BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, TO PROVIDE FOR RECESS APPOINTMENTS PENDING CONFIRMATION, TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO MOVE FROM AN ELECTIVE TO AN APPOINTIVE SYSTEM, TO AMEND THE CONSTITUTION TO ALLOW FOR THE APPOINTMENT OF SPECIAL DISTRICT COURT JUDGES, AND TO GENERALLY PROVIDE FOR NONPARTISAN ELECTION OF TRIAL JUDGES IN THEIR DISTRICTS AT THE TIME OF THE PRIMARY ELECTION, is referred to the Committee on Judiciary I.

By Representative Culpepper:

H.B. 561, A BILL TO BE ENTITLED AN ACT RELATING TO CHOWAN COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Culpepper:

H.B. 562, A BILL TO BE ENTITLED AN ACT RELATING TO PERQUIMANS COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Culpepper:

H.B. 563, A BILL TO BE ENTITLED AN ACT RELATING TO DARE COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Culpepper:

H.B. 564, A BILL TO BE ENTITLED AN ACT RELATING TO WASHINGTON COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Culpepper:

H.B. 565, A BILL TO BE ENTITLED AN ACT RELATING TO TYRRELL COUNTY, is referred to the Committee on Local and Regional Government II.

RE-REFERRAL

On motion of Representative Morgan and without objection, **H.B. 174,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGISLATIVE CONFIRMATION OF CERTAIN EXECUTIVE APPOINTMENTS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Ways and Means.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Creech and without objection, **H.B. 492,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CLAYTON

TO USE THE SINGLE-PRIME CONTRACTOR METHOD OF CONSTRUCTING THE HOCUTT-ELLINGTON LIBRARY ADDITION, is withdrawn from the Calendar and placed on the Calendar of March 28.

CALENDAR

Action is taken on the following:

H.B. 317, A BILL TO BE ENTITLED AN ACT RELATING TO ELECTIONS OF THE CITY OF WINSTON-SALEM AND THE COUNTY OF FORSYTH SO THAT THE GENERAL LAW WILL APPLY ON SHARING OF COSTS OF THE COUNTY BOARD OF ELECTIONS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 373, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 33,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE ANNUAL RENEWAL FEE FOR A REAL ESTATE LICENSE AND TO REQUIRE PAYMENT OF THE APPLICATION FEE EACH TIME AN APPLICANT TAKES THE REAL ESTATE EXAMINATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Justus, Kiser, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Snowden, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson,

G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: Representatives Baker and Wood - 2.

Excused absences: Representatives Esposito and Wainwright - 2.

H.B. 86, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE IDENTIFICATION OF THE NONSUPPORTING PARENT OF ANY CHILD RECEIVING PUBLIC ASSISTANCE, TO REQUIRE THE MOTHER TO IDENTIFY THE PERSON REASONABLY BELIEVED TO BE THE FATHER, TO REQUIRE THE STATE REGISTRAR TO PROVIDE PATERNITY AFFIDAVITS TO THE CHILD SUPPORT ENFORCEMENT SECTION OF THE DIVISION OF SOCIAL SERVICES, AND TO REQUIRE THE DIVISION OF SOCIAL SERVICES TO STUDY CLAIMS OF GOOD CAUSE FOR REFUSING TO ESTABLISH PATERNITY.

Representative J. Brown calls the previous question on the passage of the bill and the call is sustained by electronic vote (98-12).

The bill, as amended, passes its third reading, by electronic vote (110-5), and is ordered engrossed and sent to the Senate.

H.B. 459, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CANCELLATION OF A NOTE OR OTHER INDEBTEDNESS SECURED BY A DEED OF TRUST OR MORTGAGE BY EXECUTION OF A CERTIFICATE OF SATISFACTION, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

INTRODUCTION OF PAGES

Pages for the week of March 27-30 are introduced to the membership. They are: Anson Adams of Haywood; Dawana Blackmon of Scotland; Sunny Burleson of Mitchell; Joshua Corder of Yadkin; Labesia Currie of Durham; Troy Dempster of Cumberland; Laura Godwin of Sampson; Hugh Hulse of Lee; Mary Hyder of Henderson; Jerome Lewis of Nash; Bethany McLaurin of New Hanover; Brooke Melton of Person; Marty Norris of Ashe; Susan Oakley of Moore; Shana Reece of Watauga; Ryan Robinson of Guilford; Carey Sessoms of Robeson; Amy Smith of Scotland; Melissa Smith of Scotland; Gary Spangler of Iredell; Josh Stone, Jr. of New Hanover; Cynthia Michelle Taylor of Mitchell; Shannon VanRavestein of Lee; and Precious Vines of

Edgecombe.

RE-REFERRAL

On motion of Representative Preston and without objection, **S.B. 21,** A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL BOARDS OF EDUCATION TO USE FUNDS APPROPRIATED FOR TEACHER ASSISTANTS AND FOR PROGRAM ENHANCEMENT TEACHERS TO REDUCE CLASS SIZE PURSUANT TO LOCAL SCHOOL IMPROVEMENT PLANS, is withdrawn from the Committee on Appropriations, Subcommittee on Education and re-referred to the Committee on Education.

On motion of Representative Morgan, seconded by Representative K. Miller, the House adjourns at 7:39 p.m. to reconvene March 28 at 1:30 p.m.

THIRTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 28, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Father, how extraordinary, a God who works. In the beginning, You created the heavens and the earth. Conceived in Your mind and willed into reality. What a gift Divine is work. To think, to dream, to create in the mind a bridge, a great building, a machine, a medical operation, a poem, a book, a garden, and then will it into being by the work of our hands. Each bill we present here on this floor and hammer into law was first formed in some one's mind. Father, how much like You we are when we work. And, help us to remember that every man's work shall be made manifest, and judged by You as to what kind of work it was, so, help us Lord through Christ Your son who also works. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 27 has been examined

and found correct. Upon his motion, the Journal is approved as written by electronic vote (82-0).

A leave of absence is granted Representative Esposito for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 499, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR SOME EMPLOYEES OF THE CARTERET COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 29.

H.B. 508, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NONPARTISAN ELECTION OF THE TRANSYLVANIA COUNTY BOARD OF EDUCATION FROM THE DATE OF THE PRIMARY TO THE DATE OF THE GENERAL ELECTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 29.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 509, A BILL TO BE ENTITLED AN ACT TO ROTATE PARTY ALIGNMENT ON THE BALLOT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 29.

By Representative Neely for the Committee on Judiciary II:

H.B. 312, A BILL TO BE ENTITLED AN ACT TO PERMIT CHIMNEY ROCK VILLAGE TO HOLD CERTAIN ABC ELECTIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 29.

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

H.B. 214, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF TARBORO, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 29.

H.B. 239, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

H.B. 262, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO APPROPRIATE FUNDS TO PROVIDE CHILD CARE RESOURCES AND REFERRAL SERVICES TO CERTAIN COUNTIES UNSERVED BY EARLY CHILDHOOD EDUCATION AND DEVELOPMENT INITIATIVES THAT ARE CURRENTLY UNABLE TO USE ALL THEIR DAY CARE ALLOCATIONS, with an unfavorable report.

By Representative Baker for the Permanent Subcommittee on State Parks, Facilities and Property of the Standing Committee on State Government, with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 401, A BILL TO BE ENTITLED AN ACT TO RETAIN CERTIFIED LAW ENFORCEMENT OFFICERS FOR THE STATE MUSEUM OF ART, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar of March 30.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Richardson and Neely:

H.B. 566, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE POWERS OF FIDUCIARIES, is referred to the Committee on Judiciary II.

By Representatives Wainwright, Edwards, and Nichols:

H.B. 567 A BILL TO BE ENTITLED AN ACT TO CREATE A DRUG-FREE PUBLIC HOUSING ZONE BY PROVIDING AN ENHANCED PENALTY FOR DRUG OFFENSES NEAR PUBLIC HOUSING IN THE CITY OF NEW BERN, is referred to the Committee on Local and Regional Government I.

By Representatives Cocklereece, Beall, Buchanan, Capps, Clary, Easterling, Eddins, Ives, Kiser, Lemmond, McMahan, K. Miller, Owens, Pulley, Rayfield, Reynolds, Sexton, Sharpe, and Snowden:

H.B. 568, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND IMPROVE SANCTIONS FOR WILLFUL FAILURE TO DISCLOSE PRIOR DAMAGE TO A MOTOR VEHICLE, is referred to the Committee on Judiciary I.

By Representatives Weatherly, Baker, Barbee, J. Brown, Buchanan, Cocklereece, Culp, Decker, Dickson, Hiatt, Hurley, Justus, McMahan, Pate, Rayfield, Sexton, Tallent, and Warner:

H.B. 569, A BILL TO BE ENTITLED AN ACT GRANTING ENFORCEMENT OFFICERS OF THE DIVISION OF MOTOR VEHICLES THE AUTHORITY TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE AND TO AUTHORIZE REGISTRATION PLATES FOR THEIR VEHICLES, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representatives McCrary, Dockham, Howard, and Wood:

H.B. 570, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE LEXINGTON UTILITIES COMMISSION, is referred to the Committee on Local and Regional Government I.

By Representatives Davis, Decker, and Russell (Co-Sponsors); Allred,

Baker, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Cocklereece, Culp, Cummings, Dickson, Dockham, Ellis, Grady, Hayes, Justus, Kiser, Linney, McComas, McCombs, McMahan, K. Miller, Mitchell, Nichols, Owens, Pate, Rayfield, Robinson, Sexton, Sharpe, Sherrill, Shubert, Weatherly, C. Wilson, and G. Wilson:

H.J.R. 571, A JOINT RESOLUTION DEMANDING THAT THE FEDERAL GOVERNMENT CEASE AND DESIST MANDATES THAT ARE BEYOND THE SCOPE OF ITS CONSTITUTIONALLY DELEGATED POWERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue and Cummings:

H.B. 572, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF ELECTION OF THE LAURINBURG CITY COUNCIL, is referred to the Committee on Local and Regional Government I.

By Representatives Thompson, Baker, Berry, J. Brown, Buchanan, Cansler, Clary, Creech, Daughtry, Eddins, Edwards, Hayes, Howard, Justus, Lemmond, Linney, McMahan, Mitchell, Morgan, Neely, Nichols, Pate, Pulley, Robinson, Russell, Sharpe, C. Wilson, and G. Wilson:

H.B. 573, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE STATE BUREAU OF INVESTIGATION, THE ENFORCEMENT SECTION OF THE DIVISION OF MOTOR VEHICLES, THE ENFORCEMENT SECTION OF THE WILDLIFE RESOURCES COMMISSION, AND THE STATE CAPITOL POLICE TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, AND TO DIRECT THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY TO ELIMINATE FIFTY PERCENT OF MOTOR VEHICLE LAW ENFORCEMENT POSITIONS UPON TRANSFER, is referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

By Representatives Thompson and Buchanan:

H.B. 574, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF LAND HARBOR, is referred to the Committee on Local and Regional Government II.

By Representative Decker:

H.B. 575, A BILL TO BE ENTITLED AN ACT RELATING TO FORSYTH COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Decker:

H.B. 576, A BILL TO BE ENTITLED AN ACT RELATING TO GUILFORD COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gardner (by request):

H.B. 577, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM VEHICLE TAX THAT MAY BE LEVIED IN THE CITY OF SALISBURY, is referred to the Committee on Local and Regional Government II.

By Representative Gardner:

H.B. 578, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE SALISBURY GEOGRAPHICAL INFORMATION SYSTEM, is referred to the Committee on Local and Regional Government II.

By Representative H. Hunter:

H.B. 579, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT PROGRAMS OF THE RURAL ECONOMIC DEVELOPMENT CENTER INC., is referred to the Committee on Appropriations.

By Representatives H. Hunter, Adams, Blue, Fitch, Hensley, Hightower, R. Hunter, Locke, Michaux, Richardson, Wainwright, and Warner:

H.B. 580, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MULTIJURISDICTIONAL DRUG TASK FORCES, is referred to the Committee on Appropriations.

By Representative H. Hunter:

H.B. 581, A BILL TO BE ENTITLED AN ACT RELATING TO HERTFORD COUNTY AND THE MUNICIPALITIES THEREIN, is referred

to the Committee on Local and Regional Government I.

By Representative H. Hunter:

H.B. 582, A BILL TO BE ENTITLED AN ACT RELATING TO BERTIE COUNTY AND THE MUNICIPALITIES THEREIN, is referred to the Committee on Local and Regional Government I.

By Representative Allred:

H.B. 583, A BILL TO BE ENTITLED AN ACT RELATING TO THE ALAMANCE COUNTY PUBLIC LAW LIBRARY, is referred to the Committee on Local and Regional Government II.

By Representative Hightower:

H.B. 584, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE NINE MEMBERS OF THE ANSON COUNTY BOARD OF EDUCATION FROM SEVEN SINGLE-MEMBER DISTRICTS, PLUS TWO AT-LARGE MEMBERS ELECTED BY LIMITED VOTING, is referred to the Committee on Local and Regional Government I.

By Representatives Weatherly, Aldridge, Baker, Brawley, Capps, Clary, Cocklereece, Culp, Decker, Dickson, Edwards, Fox, Hayes, Holmes, Justus, Mercer, Mitchell, Nichols, Pate, Reynolds, Robinson, Sharpe, Shubert, Snowden, Thompson, Tolson, Warner, C. Wilson, and Yongue:

H.B. 585, A BILL TO BE ENTITLED AN ACT TO MAKE FAILURE TO DISCLOSE THAT THE AIR BAGS HAVE NOT BEEN REPLACED ON A DAMAGED MOTOR VEHICLE A MISDEMEANOR, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary II.

By Representative Robinson:

H.B. 586, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR BURKE AND CALDWELL COUNTIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Robinson:

H.B. 587, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL

LEGISLATION FOR CALDWELL COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ives and Gardner:

H.B. 588, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO PROVIDE MEDICAL RELEASE FOR LOW-RISK OLDER INMATES, is referred to the Committee on Judiciary II.

By Representatives Kiser, Berry, Brawley, Buchanan, Robinson, and Thompson:

H.B. 589, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT JAILERS, TELECOMMUNICATORS, CLERKS, AND OTHER EMPLOYEES DESIGNATED BY THE CATAWBA COUNTY BOARD OF COMMISSIONERS WHO ARE EMPLOYED BY THE CATAWBA COUNTY SHERIFF'S DEPARTMENT SHALL BE ELIGIBLE TO RECEIVE THE BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Local and Regional Government II.

By Representatives Kiser and Berry:

H.B. 590, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MOUNTAIN VIEW, is referred to the Committee on Local and Regional Government II.

By Representative Baker:

H.B. 591, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE STOKES COUNTY BOARD OF EDUCATION TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, AND TO PROVIDE THAT EACH ELECTION, TWO PERSONS SHALL BE ELECTED FOR FOUR-YEAR TERMS AND ONE PERSON SHALL BE ELECTED TO A TWO-YEAR TERM, is referred to the Committee on Local and Regional Government I.

By Representatives Fox, Alexander, Church, Crawford, Gamble, Hensley, Hill, Hurley, Locke, Owens, and Wilkins:

H.B. 592, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN GRANVILLE COUNTY BY PROVIDING FOR REGISTRATION AT ANY TIME, BY ELIMINATING THE REQUIREMENT THAT REGISTRATION BE RENEWED ANNUALLY, AND BY PROVIDING THAT A REGISTRANT MUST FURNISH THE POSTED NOTICES REQUIRED TO COMPLY WITH THE LAW, is referred to the Committee on Local and Regional Government II.

By Representatives Preston and Snowden (Co-Sponsors):

H.B. 593, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF BOGUE, is referred to the Committee on Local and Regional Government I.

By Representatives Miner and Black (Co-Sponsors):

H.B. 594, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH AND ACCIDENT INSURANCE AGAINST COVERAGE FOR PROCEDURES INVOLVING CERTAIN BONES OR JOINTS, is referred to the Committee on Insurance and, if favorable, to the Committee on Judiciary I.

By Representative Nichols:

H.B. 595, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE NONPARTISAN ELECTION OF THE CRAVEN COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representatives Nichols and Wainwright:

H.B. 596, A BILL TO BE ENTITLED AN ACT TO DESCRIBE THE CORPORATE LIMITS OF THE CITY OF NEW BERN, is referred to the Committee on Local and Regional Government II.

By Representatives Nichols and Allred (Co-Sponsors); Aldridge, Arnold, Baker, Barbee, Berry, Black, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Howard, Justus, Kiser, Linney, Locke, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan,

Pate, Preston, Pulley, Reynolds, Robinson, Russell, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Tolson, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wood:

H.B. 597, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PAYMENT OF COMPENSATION TO AN OWNER WHEN LAND-USE REGULATION BY A GOVERNMENTAL ENTITY CAUSES AN ECONOMIC IMPACT RESULTING IN ANY DIMINUTION IN THE TOTAL VALUE OF THE OWNER'S LAND, is referred to the Committee on Health and Environment.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 374, A BILL TO BE ENTITLED AN ACT RELATING TO THE COMPENSATION OF THE MEMBERS AND CHAIRPERSON OF THE MOORE COUNTY BOARD OF EDUCATION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 377, A BILL TO BE ENTITLED AN ACT INCLUDING WITHIN THE DEFINITION OF AN ABANDONED VEHICLE THOSE LEFT ON CERTAIN HIGHWAYS WITHIN THE CITY OF WINSTON-SALEM FOR MORE THAN FORTY-EIGHT HOURS, is read the first time and referred to the Committee on Local and Regional Government II.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 372,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MADISON COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE IN JULY OF THE YEAR OF THEIR ELECTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 492, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CLAYTON TO USE THE SINGLE-PRIME CONTRACTOR

METHOD OF CONSTRUCTING THE HOCUTT-ELLINGTON LIBRARY ADDITION.

On motion of Representative Creech and without objection, consideration of the bill is postponed until March 29.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 208,** A BILL TO BE ENTITLED AN ACT TO ALLOW JACKSON AND MADISON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Dickson, Dockham, Earle, Easterling, Edwards, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Snowden, Sutton, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 99.

Voting in the negative: Representatives Berry, Capps, Creech, Davis, Eddins, Ellis, Hiatt, and Pate - 8.

Excused absences: Representatives Esposito and Wainwright - 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 5,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE COMPOSITION OF THE STATE BOARD OF EDUCATION AND MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE STATE BOARD OF EDUCATION, AND TO MAKE CORRESPONDING STATUTORY CHANGES.

Representative Daughtry offers Amendment No. 1.

Representative Michaux calls for the "ayes" and "noes" on the amendment and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 1 is adopted by the following vote.

Those voting in the affirmative are: Representatives Aldridge, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Locke, McComas, McCombs, McMahan, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 62.

Voting in the negative: Representatives Adams, Alexander, Allred, Barnes, Beall, Black, Bowen, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Kiser, Lee, Lemmond, Linney, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Warner, Wilkins, Womble, Wright, and Yongue - 51.

Excused absences: Representatives Esposito and Wainwright - 2.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar,

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Daughtry, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Fox, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lemmond, Locke, McAllister, McComas, McCombs, McMahan, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wood - 75.

Voting in the negative: Representatives Adams, Barnes, Beall, Black, Bowen, Boyd-McIntyre, Braswell, W. Brown, Crawford, Cunningham, Earle, Easterling, Fitch, Gamble, Hackney, Hensley, Hightower, Hill, Hunt,

H. Hunter, R. Hunter, Lee, Linney, Luebke, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Ramsey, Redwine, Shaw, Sutton, Tolson, Womble, Wright, and Yongue - 39.

Excused absences: Representatives Esposito and Wainwright - 2.

Committee Substitute for **H.B. 24,** A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF FOOD STAMPS TO PARTICIPATE IN WORKFARE.

On motion of the Chair and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 9,** A BILL TO BE ENTITLED AN ACT TO EXPEDITE THE POSTCONVICTION PROCESS IN NORTH CAROLINA.

Representative Richardson offers Amendment No. 1 which is adopted by electronic vote (107-2).

The bill, as amended, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 353,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED.

Representative R. Hunter moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

On motion of Representative Hackney, the bill is withdrawn from the Calendar and placed on the Calendar of March 29.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 438, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE PERSONNEL ACT RELATING TO THE DEFINITION OF CAREER STATE EMPLOYEE, THE GROUNDS FOR STATE EMPLOYEE APPEALS, THE INVESTIGATORY DUTIES OF THE OFFICE OF STATE PERSONNEL, AND THE PRIORITY CONSIDERATION OF STATE EMPLOYEES IN FILLING VACANCIES; TO PROVIDE FOR THE ADOPTION OF AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE BY THE STATE PERSONNEL COMMISSION; AND TO ALLOW ALTERNATIVE OBSERVANCE OF THE NEW YEAR'S HOLIDAY.

On motion of Representative Culp, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 409,** A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DRUGS TO THE CONTROLLED SUBSTANCES LAW, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 54,** A BILL TO BE ENTITLED AN ACT TO MAKE STATUTORY CONFORMING CHANGES NECESSITATED BY AN ACT TO PROVIDE FOR A GUBERNATORIAL VETO, passes its second reading by electronic vote (89-11).

Representative Fitch objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
March 28, 1995

Mr. Speaker:

It is ordered that a message be sent to your Honorable Body notifying you of the election by the Senate, pursuant to **S.R. 176,** (Committee Substitute) A SENATE SIMPLE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

AT-LARGE CATEGORY--FOUR-YEAR TERM

F. Edward Broadwell
Dr. William T. Brown
C. C. (Cliff) Cameron
C. Ralph Kinsey, Jr.
Paul J. Rizzo
Joseph E. Thomas

MINORITY PARTY CATEGORY--FOUR-YEAR TERM

Marshall A. Rauch
Benjamin S. Ruffin

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

RE-REFERRAL

On motion of the Speaker, **H.B. 570,** A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE LEXINGTON UTILITIES COMMISSION, is withdrawn from the Committee on Local and Regional Government I and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Snowden, the House adjourns at 3:39 p.m. to reconvene March 29 at 3:00 p.m.

THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 29, 1995

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Dear Lord, please forgive me for praying like this
"In this place so regal and legal and all,
"But Old Mike is dead and he lay by my bed,
"Or just past the door in the hall.

"I just can't forget the look in his eyes
"As he pleaded for help I couldn't give,
"For cancer had laid hold on his lungs, and I knew
"That Old Mike just couldn't live.

"He had guarded the place with arrogant grace
"With courage and plenty of pluck.
"And as I started to work he begged with his tail
"For one last ride in the truck.

"It was near lunch when my wife came in where I worked,
"And through tears in her eyes gently said,
"Old Mike just died in the back of the truck
"While my hand stroked his grizzly old head.

"We buried Old Mike in a clean white sheet,
"Beneath the trees at the edge of the yard,
"And I cursed old death to his face, yes I did.
"Oh God, You know it was hard.

"Now whether preacher or baker or N.C. law maker
"No matter whatever your cause,
"No prayer more sincere than this could be said,
"Then dear Lord help me be as good a man,
don't you see,

"As my old dog Mike thought I was. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 28 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (87-1).

Leaves of absence are granted Representatives Esposito, Hightower, and Wright for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

March 27, 1995

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 126-2, I hereby re-submit the name of Judy M. Stephenson for confirmation by the General Assembly as a member of the State Personnel Commission.

Thank you for your understanding during Ms. Stephenson's surgery and recuperation period.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

The Speaker refers the letter to the Committee on State Government.

PETITION
TO THE HOUSE OF REPRESENTATIVES
OF THE NORTH CAROLINA GENERAL ASSEMBLY
FROM THE CITIZENS AND RESIDENTS
OF THE AREA KNOW AS MORGAN HEIGHTS IN
TRANSYLVANIA COUNTY
NORTH CAROLINA

WHEREAS, the Constitution of North Carolina Article I, Section 12 provides that the people have a right "to apply to the General Assembly for redress of grievances"; and

WHEREAS, the City of Brevard on June 30, 1994, annexed the area know as Morgan Heights, more particularly described as follows:

BEGINNING at a point being the northwest property boundary corner of Parcel 5, Block 1, Tax Map TRA-34-1-E, Brevard Township, Transylvania County, North Carolina, a point on the existing City of Brevard City Limit boundary line; said point being on the western property boundary line of Parcel 25, Block 1, Tax Map TRA-34-1-E, Brevard Township Transylvania County, North Carolina; thence southeast along the western property boundary lines of said parcel and Parcels 21 and 20, Block 1, Tax Map TRA-34-1-E, Brevard Township, Transylvania County, North Carolina approximately 760 feet to a point being the southeast property boundary corner of said parcel 20; thence northeast along the eastern property boundary lines of said Parcel 20 and Parcels 19, 18 and 17, Block 1, Tax Map TRA-34-1-E, Brevard Township, Transylvania County, North Carolina, approximately 1036 feet to a point being the northeast property boundary corner of said Parcel 17; thence west along the northern property boundary line of Parcel 16, Block 1, Tax Map TRA-34-1-E Brevard Township, Transylvania County, North Carolina approximately 326 feet to a point being the southeast property boundary corner of Parcel 1, Block 1, Tax Map TRA-34-1-E, Brevard Township, Transylvania County, North Carolina; thence north along the eastern property boundary line of said parcel approximately 300 feet, said property boundary line extended to a point being in the centerline of Elm Bend Road, SR 1543, said point being on the existing City of Brevard City Limit boundary line; thence west and along the existing City Limit boundary line approximately 4050 feet to the POINT OF BEGINNING; and

WHEREAS, the City of Brevard in annexing Morgan Heights failed to properly consider that the citizens of Morgan Heights provided their own street repairs, water and sewer services, and street maintenance and that the cost to the City and to the newly annexed area's residents far exceeded any benefit derived from said annexation, including that of orderly planning to the City accruing from such annexation; and

WHEREAS, the citizens and residents of Morgan Heights were opposed to annexation of their area by the City of Brevard;

WE, the undersigned citizens and residents of the annexed area known as Morgan Heights, being citizens of Transylvania County, North Carolina, respectfully request that the General Assembly undertake to reverse the action by which the City of Brevard annexed the area know as Morgan Heights.

NAME	ADDRESS	DATE
S/ C. W. Marquis, Jr.	135 Delphia Drive	2/17/95
S/ Ralph D. Breedlove	114 Delphia Drive	2/17/95
S/ Ralph C. Williams	131 Delphia Drive	2/17/95
S/ Warren B. Weston	130 Delphia Drive	2/17/95
S/ Lennie Paustian	139 Delphia Drive	2/17/95

The Speaker refers the Petition to the Committee on Local and Regional Government II.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Wood for the Committee on Education:

H.B. 65, A BILL TO BE ENTITLED AN ACT TO PROVIDE A UNITED STATES FLAG FOR EVERY PUBLIC SCHOOL CLASSROOM AND TO REQUIRE THE STUDENTS TO RECITE THE PLEDGE OF ALLEGIANCE EVERY DAY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Having received a unanimous vote in committee, the committee substitute bill, is placed on the Consent Calendar for April 3. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

H.B. 413, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "LICENSABLE FACILITY" IN THE MENTAL HEALTH LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 458, A BILL TO BE ENTITLED AN ACT TO IMPOSE CONDITIONS FOR THE RESTORATION OR CONTINUED ENJOYMENT OF A DRIVING PRIVILEGE AFTER A CONVICTION FOR DRIVING WHILE IMPAIRED OR DRIVING WHILE A PROVISIONAL LICENSEE AFTER CONSUMING DRUGS OR ALCOHOL, AND TO PROMOTE COMPLIANCE WITH THESE CONDITIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 505, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GASTONIA TO MAKE CERTAIN ASSESSMENTS OUTSIDE THE CORPORATE LIMITS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

H.B. 512, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY COLLEGE STUDENTS ENROLLED IN HEALTH PROGRAMS ARE SUBJECT TO THE SAME IMMUNIZATION

REQUIREMENTS AS FOR OTHER COLLEGE AND UNIVERSITY STUDENTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Bowen:

H.B. 598, A BILL TO BE ENTITLED AN ACT TO REVISE PENDER COUNTY COMMISSIONER DISTRICTS, is referred to the Committee on Local and Regional Government I.

By Representative Bowen:

H.B. 599, A BILL TO BE ENTITLED AN ACT TO ELIMINATE BROWN BAGGING PERMITS, is referred to the Committee on Judiciary I.

By Representatives Culp, Brawley, J. Brown, W. Brown, Carpenter, Dickson, Hill, H. Hunter, Justus, Mitchell, Nye, Sexton, Tallent, Weatherly, and Yongue:

H.B. 600 A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA ON-SITE WASTEWATER SYSTEM CONTRACTORS LICENSING BOARD, is referred to the Committee on Business and Labor.

By Representatives Culp, Arnold, Barbee, Bowen, J. Brown, Carpenter, Dockham, Eddins, H. Hunter, Ives, Kiser, McLaughlin, Nye, Rogers, Tallent, and Weatherly:

H.B. 601, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE LICENSING REQUIREMENTS FOR CERTAIN PESTICIDE APPLICATORS, is referred to the Committee on Business and Labor.

By Representative Wright:

H.B. 602, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A

REFERENDUM ON THE REPEAL OF THE CHARTER OF THE TOWN OF SANDYFIELD, is referred to the Committee on Local and Regional Government II.

By Representatives Reynolds and Allred (Co-Sponsors):

H.B. 603, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION FOR ALAMANCE COUNTY TO ENTER INTO A CONTRACT TO REPAIR THE ALAMANCE COUNTY COURTHOUSE, is referred to the Committee on Local and Regional Government II.

By Representative Redwine:

H.B. 604, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SUNSET BEACH TO REGULATE AND CONTROL DEBRIS AND OTHER MATERIALS RESULTING FROM BOATING ACCIDENTS, is referred to the Committee on Local and Regional Government I.

By Representative Baker (by request):

H.B. 605, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALLEGHANY COUNTY TO LEVY A ONE PERCENT LOCAL LAND TRANSFER TAX FOR PUBLIC SCHOOL CAPITAL NEEDS, SUBJECT TO APPROVAL BY THE VOTERS OF THE COUNTY, is referred to the Committee on Finance.

By Representative Neely:

H.B. 606, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTIES OF THE TRUSTEE OF AN IRREVOCABLE LIFE INSURANCE TRUST, is referred to the Committee on Judiciary II.

By Representative McComas:

H.B. 607, A BILL TO BE ENTITLED AN ACT TO CREATE THE WILMINGTON-NEW HANOVER LOCAL GOVERNMENT TASK FORCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McComas:

H.B. 608, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS TO THE WILMINGTON-NEW HANOVER LOCAL GOVERNMENT STUDY COMMISSION TO ASSIST IN ITS WORK, is referred to the Committee on Appropriations.

By Representative Culpepper:

H.B. 609, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXEMPTION OF TYRRELL COUNTY FROM THE MINIMUM NUMBER OF HOURS ITS BOARD OF ELECTIONS OFFICE MUST BE OPEN, is referred to the Committee on Local and Regional Government II.

By Representative Culpepper:

H.B. 610, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TYRRELL COUNTY TO LEVY A ONE PERCENT LOCAL LAND TRANSFER TAX, is referred to the Committee on Finance.

By Representative Culpepper:

H.B. 611, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF SOUTHERN SHORES FROM CERTAIN STATUTORY REQUIREMENTS IN THE BUILDING OF A TRAINING CENTER FACILITY, is referred to the Committee on Local and Regional Government II.

By Representative Culpepper:

H.B. 612, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE OFFICE OF EMERGENCY MANAGEMENT FOR THE BLUE SKY PROJECT, is referred to the Committee on Appropriations.

By Representative Miner:

H.B. 613, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR THE WAKE COUNTY SCHOOLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Barbee:

H.B. 614, A BILL TO BE ENTITLED AN ACT RELATING TO STANLY COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Barbee:

H.B. 615, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF STANFIELD, is referred to the Committee on Local and Regional Government II.

By Representative Sherrill:

H.B. 616, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE DEPARTMENT OF ADMINISTRATION AND TRANSFER ITS FUNCTIONS TO THE OFFICE OF STATE BUDGET AND MANAGEMENT IN THE OFFICE OF THE GOVERNOR, AND TO DIRECT THE OFFICE OF STATE BUDGET AND MANAGEMENT TO ELIMINATE FIFTY PERCENT OF POSITIONS IN THE OFFICE OF THE SECRETARY OF ADMINISTRATION, is referred to the Committee on State Government.

By Representatives McMahan, Arnold, Brawley, Capps, Clary, Cocklereece, Earle, Easterling, Eddins, Hayes, Hurley, Lee, Lemmond, K. Miller, Pulley, Rayfield, Reynolds, Sharpe, Shubert, Tallent, Thompson, Weatherly, and Yongue:

H.B. 617, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LIEN RIGHTS FOR PERSONS WHO FABRICATE DIES, MOLDS, FORMS, OR PATTERNS AND WHO FABRICATE PRODUCTS FROM DIES, MOLDS, FORMS, OR PATTERNS, is referred to the Committee on Business and Labor.

By Representatives McMahan, Alexander, Black, Dickson, Earle, Easterling, McLaughlin, Rayfield, and C. Wilson:

H.B. 618, A BILL TO BE ENTITLED AN ACT TO INCREASE THE THRESHOLD AT WHICH MECKLENBURG COUNTY AND THE MUNICIPALITIES WITHIN THE COUNTY MAY USE FORCE ACCOUNT QUALIFIED LABOR, is referred to the Committee on Local and Regional Government I.

By Representatives McMahan, Alexander, Black, Cunningham, Dickson, Earle, Easterling, Lemmond, McLaughlin, Rayfield, and C. Wilson:

H.B. 619, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO SUBMIT PROPOSALS AND RECEIVE

CONTRACTS FOR CONSTRUCTION AND REPAIR WORK NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS, is referred to the Committee on Local and Regional Government I.

By Representative Lee:

H.B. 620, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTION OF ALL THE MEMBERS OF THE ROCKINGHAM CITY COUNCIL FOR FOUR-YEAR TERMS, is referred to the Committee on Local and Regional Government I.

By Representatives Allred and Reynolds:

H.B. 621, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTY FOR SPEEDING ON THE INTERSTATE HIGHWAYS IN ALAMANCE COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Sutton, Cummings, and Yongue:

H.B. 622, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR IMPROVEMENTS AT THE SITE OF THE NORTH CAROLINA INDIAN CULTURAL CENTER, is referred to the Committee on Appropriations.

By Representatives Wainwright, Edwards, and Nichols:

H.B. 623, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF BOARDS OF DRAINAGE COMMISSIONERS IN CRAVEN COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Decker, Aldridge, Arnold, Baker, Barbee, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Cummings, Davis, Dickson, Dockham, Eddins, Ellis, Esposito, Gardner, Hayes, Hiatt, Hill, Holmes, Howard, Hurley, Justus, Kiser, Linney, McComas, K. Miller, Miner, Nye, Pate, Pulley, Reynolds, Robinson, Russell, Sexton, Shubert, Snowden, Tallent, Tolson, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 624, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE

ABORTION MAY BE PERFORMED, is referred to the Committee on Judiciary I.

By Representative Robinson:

H.B. 625, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE MORGANTON-LENOIR AIRPORT AUTHORITY AND TO AUTHORIZE THAT AUTHORITY TO CREATE, OPERATE, AND MAINTAIN AN INDUSTRIAL PARK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cummings, Lee, Sutton, and Yongue:

H.B. 626, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE COUNTY OF SCOTLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Buchanan and Berry:

H.B. 627, A BILL TO BE ENTITLED AN ACT RELATING TO THE EMPLOYMENT PREFERENCE GIVEN BY CATAWBA COUNTY TO VETERANS WHO APPLY FOR COUNTY EMPLOYMENT, is referred to the Committee on Local and Regional Government II.

By Representative Buchanan:

H.B. 628, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TIME OF ELECTION OF THE AVERY COUNTY BOARD OF EDUCATION FROM NOVEMBER TO MAY, is referred to the Committee on Local and Regional Government II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 346, A BILL TO BE ENTITLED AN ACT TO REPEAL THE STATE WORK PROGRAM AS THE JOBS PROGRAM BECOMES STATEWIDE, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

S.B. 448, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY

AND EFFICIENCY WITHIN THE APPELLATE DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM, is read the first time and referred to the Committee on Judiciary I.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 24,** A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF FOOD STAMPS TO PARTICIPATE IN WORKFARE.

On motion of the Speaker and without objection, the bill is temporarily displaced.

H.B. 214, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF TARBORO, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Ellis, Fitch, Fox, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 101.

Voting in the negative: None.

Excused absences: Representatives Esposito, Hightower, and Wright - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 345, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF YAUPON BEACH TO CREATE A SEA TURTLE SANCTUARY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 330,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM AND THE CITY OF GASTONIA TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME.

Representative Hurley offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading.

The caption having been amended, the bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 374,** A BILL TO BE ENTITLED AN ACT TO AMEND THE EXTENSION OF BEAR HUNTING SEASON IN PASQUOTANK AND CAMDEN COUNTIES AND TO INCLUDE CHOWAN COUNTY IN THAT EXTENSION OF THE SEASON, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 492, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CLAYTON TO USE THE SINGLE-PRIME CONTRACTOR METHOD OF CONSTRUCTING THE HOCUTT-ELLINGTON LIBRARY ADDITION.

On motion of Representative Creech and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government II.

WITHDRAWAL OF BILL FROM CALENDAR

On motion Representative Holmes and without objection, Committee Substitute for **H.B. 24,** A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF FOOD STAMPS TO PARTICIPATE IN WORKFARE, which was temporarily displaced, is withdrawn from the Calendar, ordered engrossed, and re-referred to the Committee on Appropriations.

CALENDAR (continued)

H.B. 499, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR SOME EMPLOYEES OF THE CARTERET COUNTY BOARD OF EDUCATION.

On motion of Representative Morgan and without objection, consideration of the bill is postponed until April 5.

H.B. 508, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NONPARTISAN ELECTION OF THE TRANSYLVANIA COUNTY BOARD OF EDUCATION FROM THE DATE OF THE PRIMARY TO THE DATE OF THE GENERAL ELECTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 208,** A BILL TO BE ENTITLED AN ACT TO ALLOW JACKSON AND MADISON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION.

Representative Mercer offers Amendment No. 1 which is adopted by electronic vote (105-0). This amendment changes the title.

The caption having been amended, the bill remains on the Calendar.

House Committee Substitute for **S.B. 5,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE COMPOSITION OF THE STATE BOARD OF EDUCATION AND MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE STATE BOARD OF EDUCATION, AND TO MAKE CORRESPONDING STATUTORY CHANGES.

Representative Daughtry offers Amendment No. 2.

Representative Hunt inquires of the Chair if the amendment is in order because it deletes a portion of a previously adopted amendment. The Speaker rules that it is in order because it does not delete the entire amendment.

Amendment No. 2 is adopted by electronic vote (79-28).

Representative Crawford offers Amendment No. 3 which fails of adoption by electronic vote (47-58).

Representative Warner offers Amendment No. 4.

The Chair rules Amendment No. 4 out of order pursuant to Rule 43.

Representative Warner moves that the House suspend Rule 43.

Representative Warner withdraws his motion.

Representative Warner moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Representative Warner calls the previous question on the motion and the call is sustained by electronic vote (104-7).

The motion to re-refer fails by electronic vote (48-64).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (94-15).

The bill, as amended, fails to pass its third reading, due to a lack of 72 affirmative votes, by the following vote.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Richardson, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Snowden, Tallent, Thompson, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wood - 70.

Voting in the negative: Representatives Adams, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Hackney, Hensley, Hunt, H. Hunter, R. Hunter, Lee, Linney, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Ramsey, Redwine, Sutton, Tolson, Wainwright, Warner, Womble, and Yongue - 40.

Excused absences: Representatives Esposito, Hightower, and Wright - 3.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 137, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE ROCKINGHAM TOURISM DEVELOPMENT AUTHORITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 30.

H.B. 383, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT THE DARE COUNTY BOARD OF COMMISSIONERS LEVY TAXES ON BEHALF OF THE DUCK AREA BEAUTIFICATION DISTRICT, WHICH IS A SPECIAL DISTRICT ESTABLISHED UNDER ARTICLE VII OF THE CONSTITUTION, NOT A SPECIAL TAX AREA, with a favorable report.

On motion of Representative Decker, the bill is re-referred to the Committee on Finance.

H.B. 212, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO USE THE SINGLE-PRIME CONTRACT SYSTEM FOR THE EXPANSION OF SEWAGE TREATMENT FACILITIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for March 30.

H.B. 464, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF HOPE MILLS A DESCRIBED TERRITORY, with a favorable report and recommendation that

the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

RE-REFERRAL

On motion of Representative Morgan and without objection, **S.B. 22,** A BILL TO BE ENTITLED AN ACT TO ALLOCATE FUNDS APPROPRIATED BY THE 1993 GENERAL ASSEMBLY TO THE SCHOOL TECHNOLOGY RESERVE, is withdrawn from the Committee on Education and re-referred to the Committee on Appropriations, Subcommittee on Education.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 458,** A BILL TO BE ENTITLED AN ACT TO IMPOSE CONDITIONS FOR THE RESTORATION OR CONTINUED ENJOYMENT OF A DRIVING PRIVILEGE AFTER A CONVICTION FOR DRIVING WHILE IMPAIRED OR DRIVING WHILE A PROVISIONAL LICENSEE AFTER CONSUMING DRUGS OR ALCOHOL, AND TO PROMOTE COMPLIANCE WITH THESE CONDITIONS, is withdrawn from the Calendar and re-referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
March 29, 1995

Mr. Speaker:

For your information, it is ordered that a message be sent to your Honorable Body notifying you the Senate has confirmed the appointments by the Governor, pursuant to G.S. 135-6, of

SHIRLEY A. BELL
SHIRLEY A. HISE
JAMES F. EDGERTON

to the Board of Trustees of the Teachers' and State Employees' Retirement System, for a term beginning April 1, 1995 and expiring on March 31, 1999.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
March 29, 1995

Mr. Speaker:

It is ordered that a message be sent to your Honorable Body notifying you of the confirmation by the Senate, pursuant to G. S. 126-2, of JUDY M. STEPHENSON, appointed by the Governor, to the State Personnel Commission, for a term beginning July 1, 1995 and expiring on June 30, 2001.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

On motion of Representative Morgan, seconded by Representative McCombs, the House adjourns at 4:43 p.m. to reconvene March 30 at 12:00 Noon.

THIRTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 30, 1995

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, today is memory day. Memories are bouquets that the mind sends to the heart. We remember those with whom we have worked

this week, and upon whom we depend. We'll build memories as we travel to Charlotte for fun, fellowship, and play. Your Word teaches us to remember too. 'Remember thy Creator in the days of your youth.' 'This do in remembrance of me.' And, at this Lenten and Easter season, I remember a mount called Mt. Calvary, and I remember an old rugged cross. It was there Jesus died for my sin satisfied and, his death there brought new life to me. Thank You, Lord, for that memory, Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 29 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (85-0).

Leaves of absence are granted Representatives Esposito, Hightower, Howard, Lee, and Linney for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Miner for the Committee on Transportation:

H.B. 213, A BILL TO BE ENTITLED AN ACT CONCERNING THE COLLECTION OF OVERDUE TRUCK PENALTIES AND ASSESSED TAXES AND THE CONSOLIDATION OF THE VARIOUS PROVISIONS CONCERNING OVERWEIGHT VEHICLES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 527, A BILL TO BE ENTITLED AN ACT TO DIVIDE SUPERIOR COURT DISTRICT 11 INTO DISTRICTS 11A AND 11B, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Robinson for the Committee on Ways and Means:

H.B. 174, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGISLATIVE CONFIRMATION OF CERTAIN EXECUTIVE APPOINTMENTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 207, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY OFFENSE TO SOLICIT A CHILD BY MEANS OF A COMPUTER TO COMMIT AN UNLAWFUL SEX ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Having received a unanimous vote in committee, the committee substitute bill is placed on the Consent Calendar of April 4. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 423, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DISTRIBUTION OF COPIES OF CERTAIN PUBLICATIONS TO THE STATE PERSONNEL COMMISSION AND TO THE OFFICE OF STATE PERSONNEL, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar of April 4.

H.B. 437, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE STATE OF NORTH CAROLINA TO ESTABLISH A STATE VETERANS HOME PROGRAM IN THE DIVISION OF VETERANS AFFAIRS OF THE DEPARTMENT OF ADMINISTRATION, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Sutton, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

Committee Substitute for **S.B. 333,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF RUN HILL STATE NATURAL AREA TO THE STATE PARKS SYSTEM, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar of April 4.

SUBCOMMITTEE REFERRAL

Representative Miner, Chair for the Standing Committee on Transportation, refers **H.B. 243,** A BILL TO BE ENTITLED AN ACT TO CREATE A NEW OFFENSE OF TRESPASSING ON RAILROAD RIGHTS-OF-WAY, TO INCREASE THE PENALTY FOR FAILURE TO OBEY RAILROAD SIGNALS, AND TO OTHERWISE IMPROVE SAFETY AT RAILROAD CROSSINGS, to the Permanent Subcommittee on Airports, Railways, and Waterways.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Gamble:

H.B. 629, A BILL TO BE ENTITLED AN ACT TO CHANGE ELECTIONS IN THE CITY OF LINCOLNTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Grady and Preston:

H.B. 630, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT INSTITUTION, is referred to the Committee on Education.

By Representatives Davis, Capps, Clary, Cocklereece, Ives, Rayfield, Sexton, and Sharpe:

H.B. 631, A BILL TO BE ENTITLED AN ACT TO EXEMPT BUILDINGS CONSTRUCTED OF CONCRETE, METAL, OR OTHER IMPERVIOUS MATERIALS THAT DO NOT PRODUCE CHEMICALS OR REQUIRE CHEMICAL TREATMENT FROM LOCATION REQUIREMENTS ADOPTED BY THE ENVIRONMENTAL

MANAGEMENT COMMISSION FOR WATER SUPPLY WELLS, is referred to the Committee on Health and Environment.

By Representative Davis:

H.B. 632, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY, is referred to the Committee on Local and Regional Government.

By Representative Miner:

H.B. 633, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE WAKE COUNTY PUBLIC SCHOOL SYSTEM FROM CERTAIN STATUTORY REQUIREMENTS IN SOME SCHOOL CONSTRUCTION CONTRACTS, is referred to the Committee on Local and Regional Government I.

By Representatives Hurley, Alexander, Barbee, Beall, W. Brown, Fox, Gamble, Hayes, Hightower, Hill, R. Hunter, Justus, Kiser, Lee, Locke, McAllister, Mercer, Owens, Pate, Richardson, Rogers, Shaw, Sutton, Tolson, Warner, and Yongue:

H.B. 634, A BILL TO BE ENTITLED AN ACT RELATING TO THE AUTHORITY AND JURISDICTION OF CITY LAW ENFORCEMENT OFFICERS WHILE TRANSPORTING PERSONS IN CUSTODY WITHIN THE STATE, is referred to the Committee on Judiciary II.

By Representatives Hayes, Aldridge, Baker, Berry, Bowie, Crawford, Dockham, Edwards, Hill, Linney, McMahan, K. Miller, Morgan, Nichols, Owens, Preston, Rayfield, Reynolds, Russell, Thompson, Wainwright, Warner, C. Wilson, and G. Wilson:

H.B. 635, A BILL TO BE ENTITLED AN ACT TO CREATE A COMMISSION TO EXAMINE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO RECOMMEND CHANGES IN THE DEPARTMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Neely, Hurley, McComas, Miner, Robinson, Russell, Shubert, and Snowden:

H.B. 636, A BILL TO BE ENTITLED AN ACT TO MANDATE PAYMENT OF REASONABLE ATTORNEYS' FEES AND OTHER REASONABLE EXPENSES INCURRED DUE TO THE FILING OF A PLEADING, MOTION, OR OTHER PAPER WHEN THAT PLEADING, MOTION, OR PAPER: (1) IS SIGNED WITHOUT THE SIGNATORY HAVING READ THE PAPER, OR (2) IS NOT WELL-GROUNDED IN FACT, NOT WARRANTED IN LAW, OR NOT OFFERED FOR A PROPER PURPOSE, is referred to the Committee on Judiciary II.

By Representatives Neely, Hurley, McComas, Miner, Robinson, Russell, Shubert, and Snowden:

H.B. 637, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY, is referred to the Committee on Judiciary II.

By Representative W. Brown:

H.B. 638, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF SANFORD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY AT PRIVATE SALE, is referred to the Committee on Local and Regional Government I.

By Representative Wood:

H.B. 639, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS UNDER WHICH THE PIEDMONT TRIAD AIRPORT AUTHORITY REGULATES PARKING AT THE PIEDMONT TRIAD INTERNATIONAL AIRPORT, is referred to the Committee on Local and Regional Government II.

By Representative Wood:

H.B. 640, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL PURCHASE OF SUPPLIES BY THE GUILFORD COUNTY SCHOOLS, is referred to the Committee on Local and Regional Government II.

By Representatives Aldridge, Arnold, Edwards, McMahan, K. Miller, Nichols, Owens, Preston, Rogers, Russell, Tolson, and Wainwright:

H.B. 641, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE FOR A MODEL CLINICAL TEACHING

NETWORK IN EASTERN NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Tolson, Fitch, and Mercer:

H.B. 642, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SIZE OF THE BOARD OF COMMISSIONERS OF EDGECOMBE COUNTY FROM FIVE TO SEVEN MEMBERS AND PROVIDE FOR THE ELECTORAL DISTRICTS, is referred to the Committee on Local and Regional Government II.

By Representatives Tolson, Fitch, and Mercer:

H.B. 643, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE BOUNDARIES OF THE HEARTSEASE FIRE TAX DISTRICT AND THE HARRISON FIRE TAX DISTRICT IN EDGECOMBE COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Tolson, Fitch, and Mercer:

H.B. 644, A BILL TO BE ENTITLED AN ACT TO ALLOW EDGECOMBE COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representatives Wright and Hill:

H.B. 645, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF ALCOHOLIC BEVERAGES ON PROPERTY OWNED BY THAT LOCAL GOVERNMENT, is referred to the Committee on Business and Labor.

By Representatives Cansler, Ives, and Linney:

H.B. 646, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CITY OF ASHEVILLE MAY, AT ITS OPTION, APPOINT A TAX COLLECTOR PURSUANT TO THE PROVISIONS OF GENERAL LAW, is referred to the Committee on Local and Regional Government II.

By Representative Morgan:

H.B. 647, A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL

OF THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF ABERDEEN, is referred to the Committee on Local and Regional Government II.

By Representative Brawley:

H.B. 648, A BILL TO BE ENTITLED AN ACT TO GIVE MOORESVILLE THE POWER TO REPAIR, ALTER, IMPROVE, CLOSE, REMOVE, OR DEMOLISH ABANDONED COMMERCIAL AND INDUSTRIAL BUILDINGS THAT ARE EYESORES, is referred to the Committee on Local and Regional Government II.

By Representative Mitchell:

H.B. 649, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MERGER OF THE IREDELL-STATESVILLE SCHOOL ADMINISTRATIVE UNIT WITH THE MOORESVILLE GRADED SCHOOL DISTRICT, is referred to the Committee on Local and Regional Government II.

By Representatives McComas, Hill, and Nye:

H.B. 650, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ALLOCATION OF THE PROCEEDS OF THE NEW HANOVER OCCUPANCY TAX, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representative Culpepper:

H.B. 651, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO REGULATE NOISE IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS TERRITORIAL JURISDICTION, is referred to the Committee on Local and Regional Government I.

By Representatives Michaux and G. Miller:

H.B. 652, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM CONCERNING THE VOTE REQUIRED BY THE BOARD OF ADJUSTMENT TO TAKE CERTAIN ACTION, is referred to the Committee on Local and Regional Government I.

By Representatives Michaux and G. Miller:

H.B. 653, A BILL TO BE ENTITLED AN ACT TO AMEND THE FAIR EMPLOYMENT, PUBLIC ACCOMMODATIONS, AND FAIR HOUSING PROVISIONS OF THE CITY OF DURHAM TO PROVIDE FOR THE CITY TAKING CERTAIN ACTIONS FOR JUST CAUSE, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Judiciary I.

By Representatives Michaux and G. Miller:

H.B. 654, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF DURHAM AND COUNTY OF DURHAM TO SUBMIT PROPOSALS AND RECEIVE CONTRACTS FOR CONSTRUCTION OR REPAIR WORK OF THE CITY, COUNTY, OTHER LOCAL GOVERNMENTS, AGENCIES OF GOVERNMENT, AND NONPROFIT CORPORATIONS AND ORGANIZATIONS, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Judiciary I.

By Representative Capps:

H.B. 655, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF RALEIGH TO IMPLEMENT CERTAIN ALTERNATIVE ZONING NOTICE PROCEDURES, is referred to the Committee on Local and Regional Government II.

By Representative Capps:

H.B. 656, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE RALEIGH CITY CHARTER, is referred to the Committee on Local and Regional Government II.

By Representatives Culp, Barnes, and Hackney:

H.B. 657, A BILL TO BE ENTITLED AN ACT MAKING SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN CHATHAM COUNTY, is referred to the Committee on Local and Regional Government I.

By Representative Edwards (by request):

H.B. 658, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HYDE COUNTY TO LEVY A ONE PERCENT LOCAL LAND TRANSFER TAX, is referred to the Committee on Finance.

By Representative Braswell:

H.B. 659, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN DUPLIN COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Pulley, Capps, Eddins, and Miner:

H.B. 660, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON ANNEXATION IN PARKWOOD IN DURHAM COUNTY IF REQUESTED BY RESIDENTS OF THE AREA TO BE ANNEXED, is referred to the Committee on Local and Regional Government I.

By Representatives Locke, Crawford, and Wilkins:

H.B. 661, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF FILLING A VACANCY ON THE HALIFAX COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representatives Locke, Mercer, and Rogers:

H.B. 662, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE MARTIN COUNTY BOARD OF EDUCATION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, is referred to the Committee on Local and Regional Government I.

By Representatives Locke, Crawford, and Wilkins:

H.B. 663, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TRAPPING FOXES IN HALIFAX COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Miner:

H.B. 664, A BILL TO BE ENTITLED AN ACT TO ALLOW WAKE COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representative Miner:

H.B. 665, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE WAKE PREPARED FOOD AND BEVERAGE TAX IS REPEALED IF EITHER WAKE COUNTY OR THE CITY OF RALEIGH INCREASES ITS PROPERTY TAX RATE ABOVE THE RATE IN EFFECT FOR THE 1994-95 FISCAL YEAR, is referred to the Committee on Local and Regional Government II.

By Representative Carpenter:

H.B. 666, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR THE CHEROKEE COUNTY SCHOOLS, is referred to the Committee on Local and Regional Government I.

By Representative Luebke:

H.B. 667, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, is referred to the Committee on Local and Regional Government I.

By Representative Allred:

H.B. 668, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE ALAMANCE COUNTY BOARD OF EDUCATION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, is referred to the Committee on Local and Regional Government I.

By Representative Allred:

H.B. 669, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR RECALL ELECTIONS FOR LOCAL GOVERNMENT OFFICIALS IN ALAMANCE COUNTY SERVING FOUR-YEAR TERMS, is referred to the Committee on Local and Regional Government I.

By Representative Allred:

H.B. 670, A BILL TO BE ENTITLED AN ACT RELATING TO LOCAL GOVERNMENTS IN ORANGE COUNTY, is referred to the Committee on Local and Regional Government I.

By Representative Allred:

H.B. 671, A BILL TO BE ENTITLED AN ACT RELATING TO LOCAL GOVERNMENTS IN ALAMANCE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Allred:

H.B. 672, A BILL TO BE ENTITLED AN ACT RELATING TO LOCAL GOVERNMENTS IN CASWELL COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sherrill, Justus, and Thompson:

H.B. 673, A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION, APPOINTMENTS, AND TERMS OF VARIOUS BOARDS, COMMISSIONS, AND AUTHORITIES WITHIN STATE GOVERNMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wood:

H.B. 674, A BILL TO BE ENTITLED AN ACT TO REDUCE FROM ELEVEN TO SEVEN THE NUMBER OF GUILFORD COUNTY COMMISSIONERS AND TO REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS, is referred to the Committee on Local and Regional Government II.

By Representative Owens (by request):

H.B. 675, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CURRITUCK COUNTY TO LEVY A PREPARED FOOD AND BEVERAGE TAX, is referred to the Committee on Finance.

By Representative Owens:

H.B. 676, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ESTABLISHMENT OF AN OUTER BANKS BEAUTIFICATION DISTRICT AND PROVIDE FOR THE LEVY AND COLLECTION OF PROPERTY TAXES IN THE DISTRICT, SUBJECT TO APPROVAL OF THE VOTERS OF THE DISTRICT, is referred to the Committee on Local and Regional Government II.

By Representatives Sherrill, Justus, and Thompson:

H.B. 677, A BILL TO BE ENTITLED AN ACT TO ABOLISH CERTAIN EXECUTIVE BRANCH BOARDS, COMMISSIONS, AND AUTHORITIES AND TO CONSOLIDATE THE FUNCTIONS OF OTHER EXECUTIVE BRANCH BOARDS, COMMISSIONS, AND AUTHORITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Allred:

H.B. 678, A BILL TO BE ENTITLED AN ACT RELATING TO LOCAL GOVERNMENTS IN ROCKINGHAM COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Howard:

H.B. 679, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTORY DEFINITION OF SUBDIVISION IN DAVIE COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives J. Brown and Holmes (Co-Sponsors):

H.B. 680, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MULBERRY-FAIRPLAINS, is referred to the Committee on Local and Regional Government II.

By Representative Watson:

H.B. 681, A BILL TO BE ENTITLED AN ACT RELATING TO DUPLIN COUNTY AND THE MUNICIPALITIES THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Barnes and Hackney (Co-Sponsors):

H.B. 682, A BILL TO BE ENTITLED AN ACT MAKING FURTHER

SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN ORANGE COUNTY, is referred to the Committee on Local and Regional Government I.

By Representative Tolson:

H.B. 683, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE COUNTY OF NASH, is referred to the Committee on Local and Regional Government II.

By Representatives McComas and Redwine (Co-Sponsors); Cummings, Hill, Sutton, and Wright:

H.B. 684, A BILL TO BE ENTITLED AN ACT TO FACILITATE EXTENSION OF A CERTAIN INTERSTATE NATURAL GAS PIPELINE BY EXEMPTING GENERATION SERVED BY THAT PIPELINE FROM REGULATION AS A PUBLIC UTILITY, is referred to the Committee on Public Utilities.

By Representative Clary:

H.B. 685, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE AGING STUDY COMMISSION TO STUDY THE ISSUE OF HOW TO ENSURE THAT DOMICILIARY CARE FACILITIES FOLLOW PHYSICIANS' ORDERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sharpe, Capps, Clary, Cocklereece, Cummings, Davis, Lemmond, McComas, McMahan, K. Miller, Pulley, Rayfield, Reynolds, and Snowden:

H.B. 686, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES PERTAINING TO DOMESTIC VIOLENCE, is referred to the Committee on Judiciary II.

By Representatives Daughtry and J. Brown:

H.B. 687, A BILL TO BE ENTITLED AN ACT RELATING TO JOHNSTON COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Morgan and Justus:

H.R. 688, A HOUSE RESOLUTION TO ESTABLISH THE HOUSE SELECT INVESTIGATIVE COMMITTEE ON CERTIFICATES OF NEED, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Wilson:

H.B. 689, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF PODIATRY, is referred to the Committee on Health and Environment.

By Representative G. Wilson:

H.B. 690, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 1073 OF THE 1959 SESSION LAWS TO PROVIDE THAT THE SHERIFF ISSUE WEAPON PERMITS IN ASHE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Ellis:

H.B. 691, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FEES FOR SEWAGE SYSTEMS AND SERVICES MAY BE BILLED AND COLLECTED IN THE SAME MANNER AS PROPERTY TAXES, is referred to the Committee on Local and Regional Government I.

By Representative Ellis:

H.B. 692, A BILL TO BE ENTITLED AN ACT ALLOWING WAKE COUNTY TO USE ALTERNATIVE METHODS OF NOTIFICATION OF PROPERTY OWNERS OF PROPOSED ZONING NOTICE CHANGES, is referred to the Committee on Local and Regional Government I.

By Representatives Ellis and Allred:

H.B. 693, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON INVOLUNTARY ANNEXATIONS WITHIN CERTAIN COUNTIES, is referred to the Committee on Local and Regional Government I.

By Representative Ellis (by request):

H.B. 694, A BILL TO BE ENTITLED AN ACT TO MAKE FURTHER AMENDMENTS TO THE RALEIGH CITY CHARTER, is referred to the

Committee on Local and Regional Government I.

By Representatives Daughtry and Creech:

H.B. 695, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JOHNSTON COUNTY TO LEVY FACILITY FEES, AN ADDITIONAL SALES AND USE TAX OF ONE PERCENT, AND A TWO PERCENT REAL ESTATE TRANSFER TAX, SUBJECT TO APPROVAL BY THE VOTERS OF THE COUNTY, TO GENERATE FUNDS FOR PUBLIC SCHOOL CAPITAL NEEDS, is referred to the Committee on Finance.

By Representative Daughtry:

H.B. 696, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE CHIEF OF MEDICAL STAFF OF JOHNSTON MEMORIAL HOSPITAL AS AN EX OFFICIO TRUSTEE OF THE COUNTY HOSPITAL AUTHORITY, is referred to the Committee on Local and Regional Government I.

By Representatives Thompson and Buchanan:

H.B. 697, A BILL TO BE ENTITLED AN ACT TO ALLOW AVERY COUNTY TO USE ITS OWN CREWS AND EQUIPMENT TO COMPLETE PHASE II OF ITS COMMUNITY RECREATION FACILITY, is referred to the Committee on Local and Regional Government II.

By Representatives Adams, Bowie, and Sharpe:

H.B. 698, A BILL TO BE ENTITLED AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF GREENSBORO, is referred to the Committee on Local and Regional Government II.

By Representatives Alexander, Adams, W. Brown, Church, Culpepper, Cunningham, Easterling, Fox, Hill, Hunt, Hurley, Owens, Redwine, Rogers, Tolson, and Wainwright:

H.B. 699, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO HOSPICE FOR THE CAROLINAS, INC., FOR THE PERFORMANCE OF COST-EFFECTIVENESS AND OUTCOME STUDIES, is referred to the Committee on Appropriations, Subcommittee on Human Resources.

By Representatives Alexander, Adams, W. Brown, Church, Crawford, Culpepper, Cunningham, Easterling, Fox, Hill, Hunt, Hurley, Redwine, Rogers, Tolson, and Wainwright:

H.B. 700, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA ALCOHOLISM RESEARCH AUTHORITY, is referred to the Committee on Appropriations, Subcommittee on Human Resources.

By Representatives Preston and Snowden:

H.B. 701, A BILL TO BE ENTITLED AN ACT TO PERMIT MUNICIPALITIES TO REGULATE THE POSSESSION OF OPEN CONTAINERS OF CERTAIN ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY, is referred to the Committee on Business and Labor.

By Representatives Sutton and Cummings:

H.B. 702, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE TOWN OF PEMBROKE IN PURCHASING A REPLACEMENT FIRE TRUCK, is referred to the Committee on Local and Regional Government I.

By Representative G. Miller (by request):

H.B. 703, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ROUGEMONT, is referred to the Committee on Local and Regional Government I.

By Representatives Allred and Ellis:

H.B. 704, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON INVOLUNTARY ANNEXATIONS WITHIN CERTAIN COUNTIES, is referred to the Committee on Local and Regional Government I.

By Representative Allred:

H.B. 705, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PEOPLE OF ALAMANCE COUNTY TO PROPOSE BY PETITION AND ADOPT AT AN ELECTION PROPOSED INITIATIVE ORDINANCES AND RESOLUTIONS, is referred to the Committee on Local and Regional

Government I.

By Representative Nichols:

H.B. 706, A BILL TO BE ENTITLED AN ACT AUTHORIZING CRAVEN COUNTY TO INCREASE ITS ROOM OCCUPANCY TAX FROM THREE PERCENT TO NO MORE THAN SIX PERCENT, TO PROVIDE FOR THE USE OF THE PROCEEDS OF THE ADDITIONAL TAX, AND TO MODIFY THE EXISTING CRAVEN COUNTY ROOM OCCUPANCY TAX, is referred to the Committee on Finance.

By Representatives Nichols and Cummings:

H.B. 707, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A VOCATIONAL TRAINING AND EMPLOYMENT OPPORTUNITY INITIATIVE IN THE COUNTIES OF CARTERET, CRAVEN, JONES, LENOIR, AND PAMLICO AND OTHER ADJACENT COUNTIES THAT MAY CHOOSE TO JOIN IN THE INITIATIVE, is referred to the Committee on Business and Labor.

By Representative Nichols:

H.B. 708, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ELECTRONICALLY MONITOR AND RECORD COMPLIANCE DATA OFF-SITE FROM SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES THAT USE HAZARDOUS WASTE AS A FUEL, is referred to the Committee on Health and Environment.

By Representative Carpenter:

H.B. 709, A BILL TO BE ENTITLED AN ACT RELATING TO THE MACON COUNTY BOARD OF COMMISSIONERS, is referred to the Committee on Local and Regional Government II.

By Representative Wood (by request):

H.B. 710, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTISAN ELECTIONS IN THE CITY OF HIGH POINT, is referred to the Committee on Local and Regional Government II.

By Representative H. Hunter:

H.B. 711, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MEMBERS OF THE NORTHAMPTON COUNTY BOARD OF SOCIAL SERVICES TO EMPLOY THEMSELVES AS EMPLOYEES OF THE DEPARTMENT OF SOCIAL SERVICES, is referred to the Committee on Local and Regional Government I.

By Representative Black:

H.B. 712, A BILL TO BE ENTITLED AN ACT TO REDUCE THE MOTOR VEHICLE TAX IN THE TOWN OF MATTHEWS FROM THIRTY DOLLARS TO TWENTY DOLLARS TO MAKE IT CONSISTENT WITH THE OTHER TOWNS IN MECKLENBURG COUNTY AND TO REMOVE THE RESTRICTION ON THE USE OF SOME OF THE FUNDS, is referred to the Committee on Finance.

By Representative Black:

H.B. 713, A BILL TO BE ENTITLED AN ACT TO PERMIT THE PERSONAL USE OF MATTHEWS POLICE CARS WITHIN SPECIFIC AREAS, is referred to the Committee on Local and Regional Government II.

By Representatives Daughtry and Creech:

H.B. 714, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL REVENUE OPTIONS FOR JOHNSTON COUNTY, SUBJECT TO APPROVAL BY THE VOTERS OF THE COUNTY, TO GENERATE FUNDS FOR PUBLIC SCHOOL CAPITAL NEEDS, is referred to the Committee on Finance.

By Representatives Daughtry and Creech:

H.B. 715, A BILL TO BE ENTITLED AN ACT RELATING TO JOHNSTON COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Lemmond:

H.B. 716, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MECKLENBURG ROOM OCCUPANCY TAX AND PROVIDE FOR ESTABLISHMENT OF A TRAVEL DEVELOPMENT AUTHORITY, is

referred to the Committee on Finance.

By Representatives Linney, Cansler, Ives, Sherrill:

H.B. 717, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ASHEVILLE CITY COUNCIL AND MAYOR SHALL SELECT AND REMOVE HOUSING AUTHORITY COMMISSIONERS, AND TO PROVIDE THAT THE ASHEVILLE CITY COUNCIL MAY NOT DESIGNATE A HOUSING AUTHORITY OR ITSELF TO ACT AS A REDEVELOPMENT COMMISSION IN LIEU OF CREATING A REDEVELOPMENT COMMISSION, is referred to the Committee on Local and Regional Government I.

By Representatives Gray, Baker, Black, J. Brown, Cummings, Hackney, Ives, Justus, G. Miller, K. Miller, Sexton, Shaw, and Weatherly:

H.B. 718, A BILL TO BE ENTITLED AN ACT TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND, is referred to the Committee on Health and Environment and, if favorable, to the Committee on Finance.

By Representatives Nichols and McComas:

H.B. 719, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN PROVISIONS RELATING TO CERTAIN MATERIALS USED IN CONJUNCTION WITH FOOD CONSUMPTION, is referred to the Committee on Health and Environment.

By Representatives Brawley, J. Brown, Creech, Ellis, McComas, McMahan, Russell, Sexton, Shubert, and Thompson:

H.B. 720, A BILL TO BE ENTITLED AN ACT TO AMEND THE STRUCTURED SENTENCING ACT TO INCREASE THE PENALTIES FOR MOST FELONIES AND MISDEMEANORS, AMEND THE FELONY PRIOR RECORD LEVEL SCHEDULE, CHANGE THE TYPES OF ALTERNATIVE PENALTIES AVAILABLE AS INTERMEDIATE PUNISHMENTS, AMEND THE LIST OF AGGRAVATING MITIGATING FACTORS, AMEND THE CONDITIONS THAT MAY BE IMPOSED FOR POST-RELEASE SUPERVISION AND PROBATION, AND REPEAL PROBATION CASELOAD GOALS, is referred to the Committee on Judiciary I.

By Representatives Creech and Allred (Co-Sponsors); Aldridge, Arnold, Baker, Barbee, Bowie, J. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Cummings, Davis, Dickson, Eddins, Edwards, Fox, Hayes, Ives, Justus, Kiser, Locke, McComas, McMahan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Russell, Sexton, Sharpe, Shubert, Snowden, Tallent, Thompson, Weatherly, and G. Wilson:

H.B. 721, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE HIGHWAY USE TAX FIRE TRUCKS AND RESCUE VEHICLES OWNED BY VOLUNTEER FIRE DEPARTMENTS AND VOLUNTEER RESCUE SQUADS, is referred to the Committee on Finance.

By Representatives Creech, Arnold, Berry, Clary, Cocklereece, Cummings, Eddins, Edwards, Hayes, Lee, McMahan, Pate, Pulley, Rayfield, Sexton, Sharpe, Sherrill, Shubert, Snowden, Thompson, Weatherly, and G. Wilson:

H.B. 722, A BILL TO BE ENTITLED AN ACT TO EXEMPT SCHOOL BUSES FROM HIGHWAY USE TAX, is referred to the Committee on Finance.

By Representative Baker:

H.B. 723, A BILL TO BE ENTITLED AN ACT TO RENAME THE DEPARTMENT OF COMMERCE AS THE DEPARTMENT OF COMMERCE AND LABOR, AND TO TRANSFER MOST FUNCTIONS OF THE DEPARTMENT OF LABOR TO THE DEPARTMENT OF COMMERCE AND LABOR, AND TO DIRECT THE SECRETARY OF COMMERCE TO ELIMINATE FIFTY PERCENT OF POSITIONS IN THE OFFICE OF THE COMMISSIONER OF LABOR UPON TRANSFER, is referred to the Committee on State Government.

By Representatives Capps, Eddins, Ellis, and Pulley:

H.B. 724, A BILL TO BE ENTITLED AN ACT TO REPEAL THE WAKE COUNTY PREPARED FOOD AND BEVERAGE TAX, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Barnes and Russell (Co-Sponsors); and Hackney:

H.B. 725, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS TO CONTINUE SUPPORT FOR THE CAROLINA CHILDREN'S COMMUNICATIVE DISORDERS PROGRAM TO IMPLEMENT THE COCHLEAR IMPLANT PROCEDURE AND OTHER SERVICES FOR DEAF CHILDREN, is referred to the Committee on Appropriations, Subcommittee on Human Resources.

By Representative Davis:

H.B. 726, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING HARNETT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Davis:

H.B. 727, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING HARNETT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Davis:

H.B. 728, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING HARNETT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 41,** A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCEDURE FOR ELIMINATING FRIVOLOUS LAWSUITS BY PRISONERS, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 62,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BILL OF RIGHTS FOR OWNERS OF MANUFACTURED HOMES, is read the first time and referred to the Committee on Business and Labor.

S.B. 413, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONVERSION OF SAVINGS ASSOCIATIONS AND SAVINGS BANKS INTO COMMERCIAL BANKS, is read the first time and referred to the Committee on Financial Institutions.

EXTENSION OF DEADLINE

On motion of the Speaker and without objection, the deadline for the introduction of public bills not containing appropriations or tax law changes in Rule 31.1(b) is extended from 3:00 p.m., April 5, until 3:00 p.m., April 11.

GUESTS

Representative Robinson is recognized and approaches the Well of the House where he introduces the following members of a delegation from Russia:

Mr. Vyacheslav Nikolayevich Skvortsov
Speaker, Chelyabinsk Oblast Duma

Mr. Ilya Iosifovich Zaslavsky
Deputy, State Duma of the Russian Federation

Mr. Vitaly Ivanovich Mikhailenko
President, "Stavropolintur", Pyatigorsk

Mr. Leonid Pavlovich Skoptsov
Deputy Chairman of the Council of Directors, "Uralmash"

CALENDAR

Action is taken on the following:

Committee Substitute for **S.B. 54,** A BILL TO BE ENTITLED AN ACT TO MAKE STATUTORY CONFORMING CHANGES NECESSITATED BY AN ACT TO PROVIDE FOR A GUBERNATORIAL VETO, passes its third reading, by electronic vote (90-13), and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 81, A BILL TO BE ENTITLED AN ACT TO REQUIRE MANDATORY ACTIVE JAIL SENTENCES FOR PERSONS CONVICTED OF DRIVING WHILE IMPAIRED WITH BLOOD ALCOHOL LEVELS OF MORE THAN FIFTEEN HUNDREDTHS PERCENT.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

Representative R. Hunter offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading by electronic vote (107-0).

Representatives Ellis and Bowie state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (109-0).

Representative Allred objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 353,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED.

Representative Hackney offers Amendment Nos. 1 and 2 which are adopted.

Representative Sherrill offers Amendment No. 3 which is adopted.

Representative R. Hunter offers Amendment No. 4.

Representative R. Hunter calls the previous question on the amendment and the call is sustained by electronic vote (96-15).

Amendment No. 4 fails of adoption by electronic vote (35-79).

Representative Ellis moves that the bill be withdrawn from the Calendar and placed on the Calendar of April 4.

Representative Ellis withdraws his motion.

Representative Culpepper offers Amendment No. 5 which fails of adoption by electronic vote (34-78).

Representative Hackney calls the previous question on the passage of the bill and the call is sustained by electronic vote (106-7).

The bill, as amended, passes its second reading by electronic vote (103-9).

Representative Ellis objects to the third reading. The bill remains on the Calendar.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee and permanent subcommittee are presented:

By Representatives Preston and Grady for the Permanent Subcommittee on Education of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 22,** A BILL TO BE ENTITLED AN ACT TO ALLOCATE FUNDS APPROPRIATED BY THE 1993 GENERAL ASSEMBLY TO THE SCHOOL TECHNOLOGY RESERVE, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Wood for the Committee on Education:

H.B. 110, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO PROVIDE LIABILITY INSURANCE FOR PUBLIC SCHOOL EMPLOYEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 235, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO LAWS CONCERNING THE SCHOOL ADMINISTRATOR STANDARDS BOARD AND TO EXTEND TO 1998 THE DATE FOR IMPLEMENTATION OF THE STANDARDS BOARD EXAM, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar of April 4.

RE-REFERRALS

On motion of Representative Daughtry and without objection, pursuant to Rule 39.2, the following bills are withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

H.B. 79, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A

PERSON WHO MEETS SPECIFIED STATUTORY CRITERIA MAY CARRY A CONCEALED HANDGUN IF THE PERSON HAS OBTAINED A CONCEALED HANDGUN PERMIT, TO AUTHORIZE SHERIFFS TO ISSUE CONCEALED HANDGUN PERMITS, TO ESTABLISH THE CRITERIA THAT MUST BE SATISFIED TO RECEIVE THE PERMIT, TO ESTABLISH THE PROCEDURE FOR THE ISSUANCE OF A CONCEALED HANDGUN PERMIT, AND TO MAKE CONFORMING STATUTORY CHANGES;

H.B. 90, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO MEETS SPECIFIED STATUTORY CRITERIA MAY CARRY A CONCEALED HANDGUN IF THE PERSON HAS OBTAINED A CONCEALED HANDGUN PERMIT, TO AUTHORIZE SHERIFFS TO ISSUE CONCEALED HANDGUN PERMITS, TO ESTABLISH THE CRITERIA THAT MUST BE SATISFIED TO RECEIVE THE PERMIT, TO ESTABLISH THE PROCEDURE FOR THE ISSUANCE OF A CONCEALED HANDGUN PERMIT, AND TO MAKE CONFORMING STATUTORY CHANGES;

H.B. 147, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MAY CARRY A CONCEALED WEAPON WHEN OFF-DUTY IN NORTH CAROLINA;

H.B. 189, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON MAY CARRY A CONCEALED WEAPON IF THE PERSON HAS A CONCEALED WEAPON LICENSE, TO CREATE A CONCEALED WEAPON LICENSE AND LICENSING PROCEDURE, AND TO MAKE CONFORMING STATUTORY CHANGES; and

H.B. 494, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR ASSAULT UPON A LAW ENFORCEMENT OFFICER WITH A FIREARM.

On motion of Representative Morgan, seconded by Representative Neely, the House adjourns at 1:45 p.m. to reconvene Monday, April 3, 1995, at 7:00 p.m.

THIRTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 3, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative C. Wilson.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 30 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (85-0).

Leaves of absence are granted Representatives Boyd-McIntyre, Esposito, Kiser, Mercer, and Snowden for today.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Daughtry for the Committee on Judiciary I:

S.B. 56, A BILL TO BE ENTITLED AN ACT TO REPEAL ANTIQUATED, OBSOLETE, OR UNCONSTITUTIONAL LAWS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Neely, Berry, Bowie, Brawley, J. Brown, Buchanan,

Cansler, Cocklereece, Crawford, Daughtry, Dickson, Ellis, Gamble, Gardner, Hayes, Hill, Hurley, Ives, Kiser, McComas, McMahan, Miner, Morgan, Owens, Preston, Redwine, Robinson, Russell, Sexton, Sharpe, Shubert, Snowden, Thompson, Weatherly, Wilkins, C. Wilson, and Wood:

H.B. 729, A BILL TO BE ENTITLED AN ACT TO ESTABLISH STANDARDS AND PROCEDURES FOR THE RECOVERY OF PUNITIVE DAMAGES IN CIVIL ACTIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Neely, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Cocklereece, Crawford, Daughtry, Dickson, Ellis, Gamble, Gardner, Hayes, Hill, Hurley, Ives, Kiser, McComas, McMahan, Miner, Morgan, Owens, Preston, Redwine, Robinson, Russell, Sexton, Sharpe, Shubert, Snowden, Thompson, Weatherly, C. Wilson, and Wood:

H.B. 730, A BILL TO BE ENTITLED AN ACT TO PREVENT FRIVOLOUS MALPRACTICE ACTIONS BY REQUIRING THAT EXPERT WITNESSES IN MEDICAL MALPRACTICE CASES HAVE APPROPRIATE QUALIFICATIONS TO TESTIFY ON THE STANDARD OF CARE AT ISSUE AND TO REQUIRE EXPERT WITNESS REVIEW AS A CONDITION OF FILING A MALPRACTICE ACTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Neely, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Church, Cocklereece, Crawford, Daughtry, Dickson, Ellis, Gamble, Gardner, Hayes, Hill, Hurley, Ives, Kiser, McComas, McMahan, Miner, Morgan, Owens, Preston, Redwine, Robinson, Russell, Sexton, Sharpe, Shubert, Snowden, Thompson, Weatherly, Wilkins, C. Wilson, and Wood:

H.B. 731, A BILL TO BE ENTITLED AN ACT TO PREVENT DOUBLE RECOVERIES IN PROPERTY DAMAGE, PERSONAL INJURY, AND WRONGFUL DEATH ACTIONS BY ALLOWING EVIDENCE OF OTHER SOURCES OF RECOVERY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Neely, Cansler, Capps, Cocklereece, Davis, McComas, McMahan, Pate, Rayfield, and C. Wilson:

H.B. 732, A BILL TO BE ENTITLED AN ACT TO EXCLUDE NEW MEMBERS OF THE GENERAL ASSEMBLY FROM PARTICIPATION IN THE LEGISLATIVE RETIREMENT SYSTEM, is referred to the Committee

on Pensions and Retirement.

By Representatives Capps, Aldridge, Baker, Bowie, Buchanan, Cansler, Clary, Creech, Davis, Decker, Eddins, Edwards, Hayes, Hiatt, Linney, McComas, K. Miller, Neely, Preston, Reynolds, Robinson, Russell, Sexton, Sherrill, Shubert, C. Wilson, and G. Wilson:

H.B. 733, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW-ENFORCEMENT OFFICERS TO TAKE PHYSICAL CUSTODY OF JUVENILES SIXTEEN AND SEVENTEEN YEARS OF AGE WHO ARE BEYOND THE DISCIPLINARY CONTROL OF THEIR PARENTS AND ABSENT FROM HOME, is referred to the Committee on Welfare Reform and Human Resources, Subcommittee on Families.

By Representatives Sherrill, Allred, Baker, Brawley, J. Brown, Capps, Clary, Cocklereece, Cummings, Davis, Decker, Edwards, Justus, McComas, Miner, Nichols, Pulley, Robinson, Russell, Sexton, Sharpe, Snowden, Thompson, and G. Wilson:

H.B. 734, A BILL TO BE ENTITLED AN ACT TO REPEAL THE FOUR PERCENT STATE SALES AND USE TAX ON NONPRESCRIPTION MEDICINES, is referred to the Committee on Finance.

By Representatives Sherrill, Baker, Bowie, J. Brown, Cansler, Capps, Cummings, Davis, Decker, Edwards, Hayes, Hiatt, Ives, Justus, Linney, McComas, Nichols, Pate, Preston, Robinson, Russell, Sexton, Thompson, and G. Wilson:

H.B. 735, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CERTAIN MISDEMEANORS IF THEY ARE COMMITTED AS ACTS OF DOMESTIC VIOLENCE AND TO PROVIDE THAT A JUDGE IS THE ONLY JUDICIAL OFFICIAL WHO MAY SET CONDITIONS OF PRETRIAL RELEASE FOR CRIMES OF DOMESTIC VIOLENCE, is referred to the Committee on Judiciary II.

By Representatives Church, Buchanan, Crawford, Hill, Lemmond, Tallent, Wilkins, and Yongue:

H.B. 736, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA FINANCIAL PRIVACY ACT TO THE FEDERAL RIGHT TO FINANCIAL PRIVACY ACT, is referred to the Committee on Financial Institutions.

By Representative Carpenter:

H.B. 737, A BILL TO BE ENTITLED AN ACT TO DIVIDE DISTRICT COURT DISTRICT 30 AND PROSECUTORIAL DISTRICT 30 INTO DISTRICTS 30A AND 30B, is referred to the Committee on Judiciary I.

By Representatives Grady, Barbee, Beall, J. Brown, W. Brown, Buchanan, Clary, Davis, Dickson, Dockham, Gardner, Gray, Hill, Howard, Hunt, Hurley, Lee, Locke, McComas, McCombs, McCrary, Mitchell, Morgan, Oldham, Preston, Ramsey, Richardson, Russell, Sexton, Shubert, Snowden, Tolson, Watson, and Yongue:

H.B. 738, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF TWENTY-THREE MILLION NINE HUNDRED THOUSAND DOLLARS OF COMMUNITY COLLEGE BONDS OR NOTES AND TO APPROPRIATE THE PROCEEDS OF THESE BONDS AND NOTES FOR SPECIFIC COMMUNITY COLLEGE CAPITAL PROJECTS, is referred to the Committee on Appropriations, Subcommittee on Education.

By Representatives Grady and Sexton:

H.B. 739, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE TRANSFER OF CREDIT BETWEEN NORTH CAROLINA INSTITUTIONS OF HIGHER EDUCATION, is referred to the Committee on Education.

By Representatives Grady and Sexton:

H.B. 740, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRANSFER OF ACADEMIC CREDIT FROM COMMUNITY COLLEGE PROGRAMS TO FOUR-YEAR COLLEGE PROGRAMS, is referred to the Committee on Education.

By Representatives Blue, Gamble, and Hayes:

H.B. 741, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STATUTORY CAP ON CHARGES FOR PROCESSING MEDICAL RECORD COPY REQUESTS, is referred to the Committee on Insurance.

By Representative Carpenter:

H.B. 742, A BILL TO BE ENTITLED AN ACT TO REPEAL THE

SUNSET CONCERNING GOVERNMENT CONSTRUCTION CONTRACTS, TO INCREASE THE THRESHOLD DOLLAR AMOUNTS, TO PROVIDE ADDITIONAL MEANS TO DISQUALIFY A NONPERFORMING CONTRACTOR, TO PROVIDE FOR AN EXPEDITER, AND TO PROVIDE FOR A UNIFORM SYSTEM OF PUBLIC CONSTRUCTION AND ADMINISTRATION, is referred to the Committee on Business and Labor.

By Representatives Clary, Baker, Bowie, Cansler, Capps, Carpenter, Culp, Cummings, Davis, Dickson, Eddins, Hiatt, Linney, McAllister, McComas, K. Miller, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Sharpe, Shubert, Snowden, Weatherly, Wilkins, and G. Wilson:

H.B. 743, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE DOMESTIC VIOLENCE LAW BY REQUIRING A DOMESTIC VIOLENCE ORDER TO BE ACCESSIBLE BY COMPUTER AND TO MAKE IT A CLASS H FELONY FOR ANY PERSON SUBJECT TO A DOMESTIC VIOLENCE ORDER TO PURCHASE ANY FIREARM OR FOR A PERSON TO SELL OR GIVE A FIREARM TO A PERSON SUBJECT TO A DOMESTIC VIOLENCE ORDER, is referred to the Committee on Judiciary II.

By Representatives Clary, Baker, Bowie, Buchanan, Cansler, Capps, Cummings, Davis, Decker, Dickson, Earle, Eddins, Hiatt, Justus, Kiser, Linney, McAllister, McComas, K. Miller, Pate, Pulley, Reynolds, Sexton, Sharpe, Shubert, Snowden, Weatherly, Wilkins, and G. Wilson:

H.B. 744, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DOMICILIARY CARE FACILITY FOUND ON INSPECTION TO HAVE LEFT A PATIENT UNATTENDED TO HAVE LICENSE REVOKED AND TO BE PLACED UNDER TEMPORARY MANAGEMENT PENDING ANY APPEAL, is referred to the Committee on Welfare Reform and Human Resources and, if favorable, to the Committee on Judiciary I.

By Representatives Clary, Buchanan, Cansler, Cummings, Decker, Dickson, Earle, Hiatt, Justus, Kiser, K. Miller, Pate, Rayfield, Reynolds, Sexton, Shubert, Snowden, Weatherly, Wilkins, and G. Wilson:

H.B. 745, A BILL TO BE ENTITLED AN ACT TO INCREASE THE "TYPE A" DOMICILIARY HOME AND NURSING HOME ADMINISTRATIVE PENALTIES, is referred to the Committee on Welfare Reform and Human Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 85, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HONORARY TRUSTS, TRUSTS FOR PETS, AND TRUSTS FOR CEMETERY LOTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 331,** A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED TOLERANCE FOR EXISTING TRUCK WEIGHTS, is read the first time and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 509, A BILL TO BE ENTITLED AN ACT TO ROTATE PARTY ALIGNMENT ON THE BALLOT, passes its second reading, by electronic vote (87-11), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 312, A BILL TO BE ENTITLED AN ACT TO PERMIT CHIMNEY ROCK VILLAGE TO HOLD CERTAIN ABC ELECTIONS, passes its second reading, by electronic vote (80-18), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 220, A BILL TO BE ENTITLED AN ACT TO PROVIDE COUNTIES WITH INFORMATION TO ENABLE THEM TO VERIFY CLAIMS FOR REFUNDS OF THEIR LOCAL SALES AND USE TAX, passes its second reading, by electronic vote (104-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 214, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF TARBORO, passes

its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Blue, Bowen, Bowie, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Hurley, Ives, Justus, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Boyd-McIntyre, Esposito, Kiser, Mercer, Richardson, and Snowden - 6.

Committee Substitute for **H.B. 330,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM, THE CITY OF GASTONIA, AND THE CITY OF FAYETTEVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Blue, Bowen, Bowie, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, Miner, Mitchell,

Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: Representative K. Miller.

Excused absences: Representatives Boyd-McIntyre, Esposito, Kiser, Mercer, Richardson, and Snowden - 6.

H.B. 137, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE ROCKINGHAM TOURISM DEVELOPMENT AUTHORITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 212, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO USE THE SINGLE-PRIME CONTRACT SYSTEM FOR THE EXPANSION OF SEWAGE TREATMENT FACILITIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 401, A BILL TO BE ENTITLED AN ACT TO RETAIN CERTIFIED LAW ENFORCEMENT OFFICERS FOR THE STATE MUSEUM OF ART, passes its second reading, by electronic vote (105-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 208,** A BILL TO BE ENTITLED AN ACT TO ALLOW EDGECOMBE, GREENE, JACKSON, AND MADISON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge,

Alexander, Allred, Arnold, Baker, Barbee, Beall, Black, Blue, Bowen, Bowie, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Culp, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Fitch, Fox, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 99.

Voting in the negative: Representatives Berry, Capps, Creech, Davis, and Ellis - 5.

Excused absences: Representatives Boyd-McIntyre, Esposito, Kiser, Mercer, Richardson, and Snowden - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 239,** A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION.

Representative Shubert offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Edwards, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw,

Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: Representatives Berry, Capps, Creech, Davis, Eddins, and Ellis - 6.

Excused absences: Representatives Boyd-McIntyre, Esposito, Kiser, Mercer, Richardson, and Snowden - 6.

House Committee Substitute for **S.B. 167,** A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES NOT TO BILL FOR PROPERTY TAXES ON CERTAIN VEHICLES WHEN THE AMOUNT DUE ON THE TAX BILL IS LESS THAN THE COST OF PREPARING AND SENDING THE BILL, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **H.B. 65,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISPLAY OF THE UNITED STATES FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO ENCOURAGE THE DISPLAY OF THE NORTH CAROLINA FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO REQUIRE STUDENTS IN THE PUBLIC SCHOOLS TO RECITE THE PLEDGE OF ALLEGIANCE EVERY DAY, TO ENCOURAGE THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS AND THE RECITATION OF THE PLEDGE OF ALLEGIANCE IN PRIVATE SCHOOLS AND HOME SCHOOLS, AND TO ENCOURAGE DONATIONS OF FLAGS TO BE DISPLAYED IN EVERY PUBLIC SCHOOL CLASSROOM, passes its second reading by electronic vote (102-8).

Representative McLaughlin objects to the third reading. The bill remains on the Calendar.

H.B. 81, A BILL TO BE ENTITLED AN ACT TO REQUIRE MANDATORY ACTIVE JAIL SENTENCES FOR PERSONS CONVICTED OF DRIVING WHILE IMPAIRED WITH BLOOD ALCOHOL LEVELS OF MORE THAN FIFTEEN HUNDREDTHS PERCENT.

On motion of Representative Neely and without objection, consideration

of the bill is postponed until April 5.

INTRODUCTION OF PAGES

Pages for the week of April 3 - 6 are introduced to the membership. They are: Julie Anne Alverson of Cherokee; Wendy Bender of Wake; Lenora Cansler of Catawba; Leanne Finch of Wake; Jason Gardner of Lenoir; Amanda Greene of Watauga; Amy Honeycutt of Johnston; Jenny Johnson of Wake; Paulitta Jones of Robeson; John Kramer of Wake; Danielle Lanier of Cumberland; Gretchen McAllister of Onslow; Laura McAulay of Wake; Katherine Miller of Scotland; Chalana Parker of Cumberland; Robert Payne of Cherokee; Wendy Sharp of Wake; Ragan Sheets of Ashe; Lee Stimmel of Wake; and Bryan Wilson of Watauga.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 54, AN ACT TO MAKE STATUTORY CONFORMING CHANGES NECESSITATED BY AN ACT TO PROVIDE FOR A GUBERNATORIAL VETO. (CHAPTER 20)

RE-REFERRALS

On motion of Representative Neely and without objection, the following bills are withdrawn from the Committee on Judiciary II and re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 636, A BILL TO BE ENTITLED AN ACT TO MANDATE PAYMENT OF REASONABLE ATTORNEYS' FEES AND OTHER REASONABLE EXPENSES INCURRED DUE TO THE FILING OF A PLEADING, MOTION, OR OTHER PAPER WHEN THAT PLEADING, MOTION, OR PAPER: (1) IS SIGNED WITHOUT THE SIGNATORY HAVING READ THE PAPER, OR (2) IS NOT WELL-GROUNDED IN FACT, NOT WARRANTED IN LAW, OR NOT OFFERED FOR A PROPER PURPOSE; and

H.B. 637, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
April 3, 1995

Mr. Speaker:

It is ordered that a message be sent the House of Representatives with the information that as a result of the March 28, 1995 election, SENATOR DANIEL E. PAGE has been administered his oath of office as a member of the Senate representing the 15th Senatorial District for the 1995 Session of the North Carolina General Assembly.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

On motion of Representative Morgan, seconded by Representative Baker, the House adjourns at 7:45 p.m. to reconvene April 4 at 3:00 p.m.

FORTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 4, 1995

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Weatherly.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 3 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (71-0).

Leaves of absence are granted Representatives Braswell, Cunningham, Earle, Esposito, H. Hunter, Kiser, Mercer, Nye, and Snowden for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 220, AN ACT TO PROVIDE COUNTIES WITH INFORMATION TO ENABLE THEM TO VERIFY CLAIMS FOR REFUNDS OF THEIR LOCAL SALES AND USE TAX. (CHAPTER 21)

H.B. 33, AN ACT TO INCREASE THE ANNUAL RENEWAL FEE FOR A REAL ESTATE LICENSE AND TO REQUIRE PAYMENT OF THE APPLICATION FEE EACH TIME AN APPLICANT TAKES THE REAL ESTATE EXAMINATION. (CHAPTER 22)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives C. Wilson, Gray, and Arnold for the Committee on Finance:

H.B. 383, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT THE DARE COUNTY BOARD OF COMMISSIONERS LEVY TAXES ON BEHALF OF THE DUCK AREA BEAUTIFICATION DISTRICT, WHICH IS A SPECIAL DISTRICT ESTABLISHED UNDER ARTICLE VII OF THE CONSTITUTION, NOT A SPECIAL TAX AREA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 5.

H.B. 464, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF HOPE MILLS A DESCRIBED TERRITORY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 5.

By Representative Daughtry for the Committee on Judiciary I:

S.B. 118, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT UNPAID VOLUNTEER MEDICAL DIRECTORS FOR EMERGENCY MEDICAL SERVICES (EMS) AGENCIES ARE COVERED BY THE GOOD SAMARITAN STATUTE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 143, A BILL TO REPEAL THE RESTRICTIONS ON DEALINGS WITH SOUTH AFRICA NOW THAT THE POLICIES OF THAT COUNTRY HAVE CHANGED, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 160, A BILL TO BE ENTITLED AN ACT TO CREATE A DRUG-FREE PUBLIC HOUSING ZONE BY PROVIDING AN ENHANCED PENALTY FOR DRUG OFFENSES NEAR PUBLIC HOUSING IN THE CITY OF SALISBURY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Wood for the Committee on Education:

H.B. 180, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE ALTERNATIVE SCHOOLS COMMITTEE OF THE LEGISLATIVE RESEARCH COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 591, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE STOKES COUNTY BOARD OF EDUCATION TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, AND TO PROVIDE THAT EACH ELECTION, TWO PERSONS SHALL BE ELECTED FOR FOUR-YEAR TERMS AND ONE PERSON SHALL BE ELECTED TO A TWO-YEAR TERM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 5.

H.B. 593, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF BOGUE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 598, A BILL TO BE ENTITLED AN ACT TO REVISE PENDER COUNTY COMMISSIONER DISTRICTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 5.

S.B. 265, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR HUNTING FOXES WITH FIREARMS AND BOW AND ARROW IN CALDWELL COUNTY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Blue, Beall, Fitch, and Ramsey:

H.B. 746, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN INCREASE IN THE MINIMUM WAGE IF THE FEDERAL MINIMUM WAGE INCREASES, is referred to the Committee on Business and Labor.

By Representatives Cocklereece, Capps, Clary, Culp, Eddins, Edwards, Hurley, Lemmond, K. Miller, Nichols, Rayfield, Reynolds, Sexton, Sharpe, and Snowden:

H.B. 747, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS 1 MISDEMEANOR TO TAUNT OR ASSAULT A LAW-ENFORCEMENT ANIMAL AND TO MAKE IT A FELONY TO SERIOUSLY INJURE OR KILL A LAW-ENFORCEMENT ANIMAL, is referred to the Committee on Judiciary II.

By Representatives Cocklereece, Capps, Culp, Cummings, Hayes,

Lemmond, Nichols, Pate, Reynolds, and Sharpe:

H.B. 748, A BILL TO BE ENTITLED AN ACT TO REGULATE SALVAGE MOTOR VEHICLE BUSINESSES, is referred to the Committee on Transportation.

By Representatives Cocklereece, Barbee, Brawley, Dockham, and Lemmond:

H.B. 749, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCEDURE FOR SENDING INSURANCE AGENTS AND COMPANIES NOTICES AND REQUESTS FOR CANCELLATION OF INSURANCE CONTRACTS BY INSURANCE PREMIUM FINANCE COMPANIES, is referred to the Committee on Insurance.

By Representatives Blue and Fitch:

H.B. 750, A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF STATE TRUCKS AND VANS FOR THE STATE GAMES OF NORTH CAROLINA, is referred to the Committee on State Government.

By Representatives Howard and McMahan:

H.B. 751, A BILL TO BE ENTITLED AN ACT TO ALLOW A CONTRACT BETWEEN A REAL ESTATE BROKER AND A REAL ESTATE SALESMAN TO INCLUDE A PROVISION TO REIMBURSE THE REAL ESTATE BROKER FOR THE COST OF INCLUDING THE SALESMAN UNDER THE BROKER'S WORKERS' COMPENSATION COVERAGE OF THE BROKER'S BUSINESS, is referred to the Committee on Business and Labor.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 161,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THE PUBLIC WITH ACCESS TO LOW-COST TELECOMMUNICATIONS SERVICE IN A CHANGING COMPETITIVE ENVIRONMENT, is returned for concurrence in Senate committee substitute and placed on the Calendar for April 5.

S.B. 240, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERFORM DREDGING SERVICES FOR UNITS OF LOCAL GOVERNMENT, is read the first time and referred to the Committee on Transportation.

S.B. 365, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TAKING OF NONGAME FISH WITH BOW AND ARROW UNDER AUTHORITY OF OTHER HUNTING AND FISHING LICENSES, is read the first time and referred to the Committee on Health and Environment.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 353,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED.

Representative Ellis offers Amendment No. 6.

The Speaker rules the amendment out of order because it is not germane to the title.

Representative Ellis withdraws his amendment.

Representative Ellis moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Representative Culpepper inquires of the Chair if the ruling on the amendment was based on the narrowness of the title. The Speaker states that the amendment offered would have added a new section; therefore, the title would have to be amended in order for the amendment to be germane.

Representative Culpepper further inquires if one portion of the amendment is not in conflict but most of it is, would the amendment be in order. The Speaker rules that it depends on the amendment.

Representative Nichols calls for the "ayes" and "noes" on the motion and requests that the vote be spread upon the Journal. The Speaker so orders.

The motion to re-refer fails by the following vote.

Those voting in the affirmative are: Representatives Aldridge, Allred, Arnold, Baker, Beall, J. Brown, Buchanan, Carpenter, Church, Creech, Culp, Culpepper, Dickson, Dockham, Ellis, Fox, Grady, Hightower, Hunt, Justus, Lee, Lemmond, Linney, McComas, McCombs, McLaughlin, McMahan, K. Miller, Miner, Mitchell, Nichols, Owens, Preston, Ramsey, Rayfield, Sexton, Shubert, Sutton, Thompson, Tolson, Warner, Weatherly, Wilkins, and Yongue - 44.

Voting in the negative: Representatives Adams, Alexander, Barbee, Barnes, Berry, Black, Blue, Bowie, Brawley, W. Brown, Cansler, Capps, Clary, Cocklereece, Cummings, Daughtry, Davis, Decker, Easterling, Eddins, Edwards, Fitch, Gamble, Gardner, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Locke, Luebke, McAllister, McCrary, Michaux, G. Miller, Morgan, Neely, Oldham, Pate, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sharpe, Sherrill, Tallent, Wainwright, Watson, C. Wilson, G. Wilson, Womble, Wood, and Wright - 59.

Excused absences: Representatives Braswell, Cunningham, Earle, Esposito, H. Hunter, Kiser, Mercer, Nye, and Snowden - 9.

Representative Ellis offers new Amendment No. 6.

Representative Ellis calls the previous question on the amendment and the call is sustained by electronic vote (94-9).

Amendment No. 6 fails of adoption by electronic vote (48-59).

The bill, as amended, passes its third reading, by electronic vote (99-6), and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.R. 43,** A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 1995 GENERAL ASSEMBLY.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (96-5).

Representative Hightower offers Amendment No. 2.

Representative Hightower calls for the "ayes" and "noes" on the amendment and requests that the vote be spread upon the Journal. The Speaker so orders.

Representative Hightower calls the previous question on the amendment and the call is sustained by electronic vote (101-3).

Amendment No. 2 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, W. Brown, Church, Culpepper, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Sherrill, Sutton, Tallent, Tolson, Wainwright, Warner, Wilkins, Womble, Wright, and Yongue - 45.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Shubert, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 62.

Excused absences: Representatives Braswell, Cunningham, Earle, H. Hunter, Esposito, Kiser, Mercer, and Snowden - 8.

Representative Allred offers Amendment No. 3.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (85-20).

Amendment No. 3 fails of adoption by electronic vote (45-62).

Representative Black offers Amendment No. 4.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (90-15).

Amendment No. 4 fails of adoption by electronic vote (45-62).

Representative Daughtry calls the previous question on the adoption of the resolution and the call is sustained by electronic vote (79-27).

The resolution, as amended, is adopted, by electronic vote (72-33), ordered engrossed, and printed.

Committee Substitute for **H.B. 239,** A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK AND UNION COUNTIES TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Baker, Barbee, Beall, Black, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Culp, Culpepper, Cummings, Daughtry, Decker, Dickson, Dockham, Easterling, Edwards, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Hurley, Ives, Justus, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 92.

Voting in the negative: Representatives Berry, Capps, Creech, Davis, Eddins, Ellis, and Fitch - 7.

Excused absences: Representatives Braswell, Cunningham, Earle, Esposito, H. Hunter, Kiser, Mercer, and Snowden - 8.

Objection having been raised, pursuant to Rule 40(b), Committee Substitute for **S.B. 333,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF RUN HILL STATE NATURAL AREA TO THE STATE PARKS SYSTEM, is removed from today's Consent Calendar and placed on the regular Calendar.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Ives, Justus, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 98.

Voting in the negative: None.

Excused absences: Representatives Braswell, Cunningham, Earle, Esposito, H. Hunter, Kiser, Mercer, and Snowden - 8.

Objection having been raised, pursuant to Rule 40(b), Committee Substitute for **H.B. 65,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISPLAY OF THE UNITED STATES FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO ENCOURAGE THE DISPLAY OF THE NORTH CAROLINA FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO REQUIRE STUDENTS IN THE PUBLIC SCHOOLS TO RECITE THE PLEDGE OF ALLEGIANCE EVERY DAY, TO ENCOURAGE THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS AND THE RECITATION OF THE PLEDGE OF ALLEGIANCE IN PRIVATE SCHOOLS AND HOME SCHOOLS, AND TO ENCOURAGE DONATIONS OF FLAGS TO BE DISPLAYED IN EVERY PUBLIC SCHOOL CLASSROOM, is removed from today's Consent Calendar and placed on the regular Calendar.

The bill passes its third reading, by electronic vote (93-7), and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 413,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "LICENSABLE FACILITY" IN THE MENTAL HEALTH LAW, passes its second reading by electronic vote (96-4).

Representative Decker objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 527, A BILL TO BE ENTITLED AN ACT TO DIVIDE SUPERIOR COURT DISTRICT 11 INTO DISTRICTS 11A AND 11B.

Representative Barnes requests, from the Speaker, an interpretation of the Executive Budget Act pursuant to this bill. The Chair states that if there is no specific appropriation stated in the bill, then the bill is not in conflict with the Executive Budget Act.

On motion of Representative Daughtry and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 5.

RE-REFERRALS

On motion of Representative Morgan and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Select Committee on Tort Reform.

H.B. 636, A BILL TO BE ENTITLED AN ACT TO MANDATE PAYMENT OF REASONABLE ATTORNEYS' FEES AND OTHER REASONABLE EXPENSES INCURRED DUE TO THE FILING OF A PLEADING, MOTION, OR OTHER PAPER WHEN THAT PLEADING, MOTION, OR PAPER: (1) IS SIGNED WITHOUT THE SIGNATORY HAVING READ THE PAPER, OR (2) IS NOT WELL-GROUNDED IN FACT, NOT WARRANTED IN LAW, OR NOT OFFERED FOR A PROPER PURPOSE;

H.B. 637, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY;

H.B. 729, A BILL TO BE ENTITLED AN ACT TO ESTABLISH STANDARDS AND PROCEDURES FOR THE RECOVERY OF PUNITIVE DAMAGES IN CIVIL ACTIONS;

H.B. 730, A BILL TO BE ENTITLED AN ACT TO PREVENT FRIVOLOUS MALPRACTICE ACTIONS BY REQUIRING THAT EXPERT WITNESSES IN MEDICAL MALPRACTICE CASES HAVE APPROPRIATE QUALIFICATIONS TO TESTIFY ON THE STANDARD

OF CARE AT ISSUE AND TO REQUIRE EXPERT WITNESS REVIEW AS A CONDITION OF FILING A MALPRACTICE ACTION; and

H.B. 731, A BILL TO BE ENTITLED AN ACT TO PREVENT DOUBLE RECOVERIES IN PROPERTY DAMAGE, PERSONAL INJURY, AND WRONGFUL DEATH ACTIONS BY ALLOWING EVIDENCE OF OTHER SOURCES OF RECOVERY.

SELECT COMMITTEE ASSIGNMENTS

The Speaker adds the following members to the Select Committee on Tort Reform: Representatives G. Miller, Justus, and Decker.

CALENDAR (continued)

Objection having been raised, pursuant to Rule 40(b), Committee Substitute for **H.B. 207,** A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY OFFENSE TO SOLICIT A CHILD BY MEANS OF COMPUTER TO COMMIT AN UNLAWFUL SEX ACT, is removed from today's Consent Calendar and placed on the regular Calendar.

The bill passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Decker withdraws his objection to the third reading of Committee Substitute for **H.B. 413,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "LICENSABLE FACILITY" IN THE MENTAL HEALTH LAW.

Representative Capps objects to the third reading. The bill remains on the Calendar.

CALENDAR (continued)

Objection having been raised, pursuant to Rule 40(b), **H.B. 423,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DISTRIBUTION OF COPIES OF CERTAIN PUBLICATIONS TO THE STATE PERSONNEL

COMMISSION AND TO THE OFFICE OF STATE PERSONNEL, is removed from today's Consent Calendar and placed on the regular Calendar.

The bill passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Objection having been raised, pursuant to Rule 40(b), **H.B. 235,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO LAWS CONCERNING THE SCHOOL ADMINISTRATOR STANDARDS BOARD AND TO EXTEND TO 1998 THE DATE FOR IMPLEMENTATION OF THE STANDARDS BOARD EXAM, is removed from today's Consent Calendar and placed on the regular Calendar.

The bill passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 513, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFIT FOR RETIRED CHARLOTTE FIREFIGHTERS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Pensions and Retirement.

The committee substitute bill is re-referred to the Committee on Pensions and Retirement. The original bill is placed on the Unfavorable Calendar.

By Representatives C. Wilson, Gray, and Arnold for the Committee on Finance.

H.B. 248, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT

UNION COUNTY MAY ASSESS A FIRE PROTECTION FEE ON CERTAIN MOBILE HOMES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Wood for the Committee on Education:

H.B. 109, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HIGH SCHOOL AGE CHILDREN WHO DO NOT ATTEND SCHOOL SHALL NOT BE ELIGIBLE FOR DRIVERS LICENSES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives Thompson and Justus for the Permanent Subcommittee on Justice and Public Safety of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 15, A BILL TO BE ENTITLED AN ACT TO ESTABLISH STATE POLICY REGARDING THE CONSTRUCTION OF PRISONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 5.

RE-REFERRAL

On motion of Representative Ellis and without objection, **H.B. 680,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MULBERRY-FAIRPLAINS, is withdrawn from the Committee on Local and Regional Government II and re-referred to the Committee on Local and Regional Government I.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

Committee Substitute for **H.B. 457,** A BILL TO BE ENTITLED AN ACT TO RECOGNIZE AMERICAN SIGN LANGUAGE AS A LANGUAGE OF DEAF PEOPLE IN NORTH CAROLINA, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Morgan, seconded by Representative Allred, the House adjourns at 5:27 p.m. to reconvene April 5 at 3:00 p.m.

FORTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 5, 1995

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Charles Evans, Pinecrest Presbyterian Church, Hendersonville, North Carolina.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 4 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (85-0).

Leaves of absence are granted Representatives Esposito, Kiser, Shaw, and Snowden for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH, 27603-8001

April 4, 1995

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 115C-10-11, I hereby appoint Lowell Thomas as a member of the North Carolina State Board of Education and submit his name for confirmation by the North Carolina General Assembly.

Mr. Thomas will replace Howard Haworth as the Region Seven representative. He will serve a term to begin immediately and to expire March 31, 2003.

Biographical information on Mr. Thomas is enclosed. Please feel free to call on him for additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

The Speaker refers the letter to the Committee on Education.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 377, AN ACT TO TRANSFER TO THE CHARLOTTE DEPARTMENT OF TRANSPORTATION THE AUTHORITY TO APPROVE CHANGES TO STREET NAMES WITHIN THAT CITY. (CHAPTER 23)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 493, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT MODIFYING THE VOTE REQUIRED FOR PRIVATE SALE OF PROPERTY BY THE CITY OF GREENSBORO FOR PUBLIC PURPOSES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 517, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN VANCE COUNTY BY PROVIDING FOR REGISTRATION AT ANY TIME AND BY ELIMINATING THE REQUIREMENT THAT REGISTRATION BE RENEWED ANNUALLY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 518, A BILL TO BE ENTITLED AN ACT TO GRANT THE CITY OF WASHINGTON AN EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 519, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TRAPPING AND KILLING OF RED WOLVES BY OWNERS OF PRIVATE LAND IN BEAUFORT COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 520, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WAYNESVILLE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 592, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN GRANVILLE COUNTY BY PROVIDING FOR REGISTRATION AT ANY TIME, BY ELIMINATING THE REQUIREMENT THAT REGISTRATION BE RENEWED ANNUALLY, AND BY PROVIDING THAT A REGISTRANT MUST FURNISH THE POSTED NOTICES REQUIRED TO COMPLY WITH THE LAW, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 647, A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL OF THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF ABERDEEN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 264, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF BETHANIA, with a favorable report.

On motion of the Chair, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

By Representative Robinson for the Committee on Business and Labor:

H.B. 311, A BILL TO BE ENTITLED AN ACT TO MAKE USE OF A COUNTERFEIT TRADEMARK A CRIME IN NORTH CAROLINA, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

H.B. 296, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE HOME VISITING SERVICES FOR CERTAIN FAMILIES, AND TO AUTHORIZE AN INTERAGENCY COMMITTEE TO EVALUATE THE FAMILY OUTREACH PROGRAM, with a favorable report as to committee substitute bill, unfavorable as to original bill, and

recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 491, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE REGULATION OF WATER SUPPLY WATERSHEDS DOES NOT APPLY TO CERTAIN WATERSHEDS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 554, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FLAGS TO SIGNAL THE PRESENCE OF SKIERS AND OTHER PERSONS IN THE WATER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Russell, Aldridge, Arnold, Braswell, Buchanan, Daughtry, Fitch, Hurley, Mercer, Pate, Preston, Rogers, Tolson, Wainwright, and Watson:

H.B. 752, A BILL TO BE ENTITLED AN ACT TO EQUALIZE FUNDING FOR THE GLOBAL TRANSPARK DEVELOPMENT ZONE, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Appropriations.

By Representatives Morgan (by request); Buchanan and G. Miller:

H.B. 753, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR THE PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Morgan and G. Miller:

H.B. 754, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A WATER AND SEWER AUTHORITY WAS FORMED BY A COUNTY AND ONE CITY, AND THE MAJORITY OF THE CUSTOMERS OF THE AUTHORITY ARE LOCATED WITHIN A CITY THAT IS NOT A MEMBER, THAT CITY MAY JOIN THE AUTHORITY AND APPOINT MEMBERS TO ITS GOVERNING BOARD, is referred to the Committee on Local and Regional Government I.

By Representative Cummings:

H.B. 755, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE SQUARE DANCE AS THE AMERICAN FOLK DANCE OF THE STATE OF NORTH CAROLINA, is referred to the Committee on State Government.

By Representatives Barnes and Fitch:

H.B. 756, A BILL TO BE ENTITLED AN ACT TO AID IN ENSURING THAT RESIDENTS IN DOMICILIARY CARE HOMES ARE IN SAFE AND WELL-MANAGED FACILITIES, is referred to the Committee on Welfare Reform and Human Resources.

By Representative Lemmond:

H.B. 757, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA PLANNED COMMUNITY ACT, is referred to the Committee on Judiciary I.

By Representative Miner:

H.B. 758, A BILL TO BE ENTITLED AN ACT TO ADJUST INTEREST RATES AND CHARGES BY LENDERS, is referred to the Committee on Financial Institutions.

By Representatives Gray, Beall, Buchanan, Dockham, and Fitch:

H.B. 759, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A HOME FOR THE AGED, SICK, OR INFIRM WHOSE PROPERTY IS EXEMPT FROM PROPERTY TAX IS ALLOWED A REFUND OF STATE AND LOCAL SALES AND USE TAXES, is referred to the Committee on Finance.

By Representatives Hensley, Beall, Black, Brawley, Culpepper, Cunningham, Fox, Gamble, Hill, Locke, Luebke, G. Miller, Redwine, Russell, and Warner:

H.B. 760, A BILL TO BE ENTITLED AN ACT TO STANDARDIZE THE INVESTIGATION AND DISCIPLINE OF LAW ENFORCEMENT OFFICERS AND TO PROVIDE FOR JUDICIAL REVIEW, is referred to the Committee on Judiciary I.

By Representative Hensley:

H.B. 761, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSURE OF FOREIGN LEGAL CONSULTANTS AND TO AUTHORIZE FOREIGN LEGAL CONSULTANTS TO ENGAGE IN A LIMITED PRACTICE OF LAW IN NORTH CAROLINA, is referred to the Committee on Judiciary I.

By Representative Hensley:

H.B. 762, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT DEPOSITIONS RECORDED BY SOUND-AND-VISUAL MEANS MUST BE TRANSCRIBED AND TO PROVIDE THAT, INSTEAD OF A TRANSCRIPTION, THE RECORDING MAY BE REVIEWED BY THE DEPONENT AND MAY BE USED AS THE COURT'S COPY OF THE DEPOSITION, is referred to the Committee on Judiciary I.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 268,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FEES PAID BY BORROWERS TO LOSS RESERVE ACCOUNTS OF STATE-FUNDED ECONOMIC DEVELOPMENT PROGRAMS ARE NOT CONSIDERED INTEREST OR SUBJECT TO CLAIMS OR DEFENSES OF USURY, is read the first time and referred to the Committee on Finance.

S.B. 296, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES, is read the first time and referred to the Committee on Local and Regional

Government I.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 161,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THE PUBLIC WITH ACCESS TO LOW-COST TELECOMMUNICATIONS SERVICE IN A CHANGING COMPETITIVE ENVIRONMENT.

On motion of Representative Dickson, the House concurs in the Senate committee substitute, by electronic vote (110-0), and the bill is ordered enrolled.

H.B. 383, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT THE DARE COUNTY BOARD OF COMMISSIONERS LEVY TAXES ON BEHALF OF THE DUCK AREA BEAUTIFICATION DISTRICT, WHICH IS A SPECIAL DISTRICT ESTABLISHED UNDER ARTICLE VII OF THE CONSTITUTION, NOT A SPECIAL TAX AREA, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: Representative Creech.

Excused absences: Representatives Esposito, Kiser, Shaw, and Snowden - 4.

H.B. 464, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF HOPE MILLS A DESCRIBED TERRITORY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Esposito, Kiser, Shaw, and Snowden - 4.

H.B. 499, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR SOME EMPLOYEES OF THE CARTERET COUNTY BOARD OF EDUCATION.

On motion of Representative Preston, the bill is withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government I.

H.B. 591, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE STOKES COUNTY BOARD OF EDUCATION TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, AND TO PROVIDE THAT EACH ELECTION, TWO PERSONS SHALL BE ELECTED FOR FOUR-YEAR TERMS AND ONE PERSON SHALL BE ELECTED TO A TWO-YEAR TERM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 598, A BILL TO BE ENTITLED AN ACT TO REVISE PENDER COUNTY COMMISSIONER DISTRICTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **S.B. 333,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF RUN HILL STATE NATURAL AREA TO THE STATE PARKS SYSTEM, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 106.

Voting in the negative: Representative Alexander.

Excused absences: Representatives Esposito, Kiser, Shaw, and Snowden - 4.

Representative Alexander states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (107-0).

H.B. 81, A BILL TO BE ENTITLED AN ACT TO REQUIRE MANDATORY ACTIVE JAIL SENTENCES FOR PERSONS CONVICTED OF DRIVING WHILE IMPAIRED WITH BLOOD ALCOHOL LEVELS OF MORE THAN FIFTEEN HUNDREDTHS PERCENT.

The bill, as amended, passes its third reading, by electronic vote (106-1), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 413,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "LICENSABLE FACILITY" IN THE MENTAL HEALTH LAW, passes its third reading, by electronic vote (107-1), and is ordered sent to the Senate.

H.B. 527, A BILL TO BE ENTITLED AN ACT TO DIVIDE SUPERIOR COURT DISTRICT 11 INTO DISTRICTS 11A AND 11B.

Representative Richardson offers Amendment No. 1 which is adopted by electronic vote (104-1).

Representative Michaux inquires of the Chair if the bill is in violation of the Executive Budget Act after deletion of the appropriation. The Chair rules it complies with the Executive Budget Act since the appropriation was removed.

The bill, as amended, passes its second reading, by electronic vote (105-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 174,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGISLATIVE CONFIRMATION OF CERTAIN EXECUTIVE APPOINTMENTS, passes its second reading by electronic vote (99-10).

Representative Hackney objects to the the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 15, A BILL TO BE ENTITLED AN ACT TO ESTABLISH STATE POLICY REGARDING THE CONSTRUCTION OF PRISONS.

Representative Justus calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading, by electronic vote (90-22).

Representative Barnes objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 286, A BILL TO BE ENTITLED AN ACT TO REQUIRE LABORATORIES TO PERFORM COMPOSITE TESTING OF WATER SAMPLES AS PART OF THE LABORATORY CERTIFICATION PROGRAM IN AN EFFORT TO REDUCE COSTS OF WATER TESTS, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 207, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BOND REQUIREMENTS FOR PUBLIC UTILITIES PROVIDING WATER OR SEWER SERVICES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE.

On motion of Representative Dickson and without objection, the bill is postponed until April 6.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.B. 523, A BILL TO BE ENTITLED AN ACT TO ALLOW CENTRAL CAROLINA COMMUNITY COLLEGE TO LEASE CERTAIN PROPERTY TO THE CHATHAM COUNTY COUNCIL ON AGING, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Culp for the Committee on Public Employees:

H.B. 477, A BILL TO BE ENTITLED AN ACT TO LIMIT THE

AUTHORIZATION FOR PAYROLL DEDUCTIONS FROM EMPLOYEES' SALARIES TO EMPLOYEES' ORGANIZATIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

RE-REFERRAL

On motion of Representative Neely and without objection, **H.B. 164,** A BILL TO BE ENTITLED AN ACT TO ENHANCE CHILD SUPPORT COLLECTION THROUGH EMPLOYER REPORTING OF NEW HIRES, HEALTH INSURANCE PREMIUM WITHHOLDING, AND OTHER INITIATIVES FOR COLLECTING OVERDUE CHILD SUPPORT, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Welfare Reform and Human Resources.

On motion of Representative Morgan, seconded by Representative Cansler, the House adjourns at 4:31 p.m. to reconvene April 6 at 3:00 p.m.

FORTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, April 6, 1995

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative J. Brown.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 5 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (87-0).

Leaves of absence are granted Representatives Barbee, Clary, Esposito, Kiser, Snowden, and Tallent for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

Representative Edwards for the Committee on State Government submits the following bill with a favorable report for introduction:

A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPROCAL BID PREFERENCES.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 802** and placed on the Calendar for April 11 for its first reading.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 124, A JOINT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO REDECLARE THE WAR ON ILLEGAL DRUGS, with a favorable report as to committee substitute resolution, which changes the title, unfavorable as to original resolution.

Pursuant to Rule 36(a), the committee substitute resolution is placed on the Calendar for April 10. The original resolution is placed on the Unfavorable Calendar.

H.J.R. 501, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THE LATE JAMES MARSHALL HALL, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 10.

H.J.R. 535, A JOINT RESOLUTION HONORING THE VETERANS OF NORTH CAROLINA WHO SERVED DURING WORLD WAR II, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 10.

H.B. 575, A BILL TO BE ENTITLED AN ACT RELATING TO FORSYTH COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Local and Regional Government II.

The committee substitute bill is re-referred to the Committee on Local and Regional Government II. The original bill is placed on the Unfavorable Calendar.

H.B. 576, A BILL TO BE ENTITLED AN ACT RELATING TO GUILFORD COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Local and Regional Government II.

The committee substitute bill is re-referred to the Committee on Local and Regional Government II. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 680, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MULBERRY-FAIRPLAINS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

S.B. 448, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE APPELLATE DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 72, A BILL TO BE ENTITLED AN ACT TO CRIMINALIZE INDECENT LIBERTIES BETWEEN CHILDREN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 400, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS TO SEEK INJUNCTIVE RELIEF, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar of April 11.

By Representative McComas for the Permanent Subcommittee on Airports, Railways and Waterways:

H.B. 243, A BILL TO BE ENTITLED AN ACT TO CREATE A NEW OFFENSE OF TRESPASSING ON RAILROAD RIGHTS-OF-WAY, TO INCREASE THE PENALTY FOR FAILURE TO OBEY RAILROAD SIGNALS, AND TO OTHERWISE IMPROVE SAFETY AT RAILROAD CROSSINGS, reported to the Standing Committee on Transportation, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

SUBCOMMITTEE REFERRAL

Representative Robinson, Chair for the Standing Committee on Business and Labor, refers:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO ENACT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO CLARIFY THE AUTHORITY OF THE BUILDING CODE COUNCIL TO ADOPT PROVISIONS REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF SMOKE DETECTORS, to the Permanent Subcommittee on Travel and Tourism.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Grady, Buchanan, Mercer, and Morgan:

H.B. 763, A BILL TO BE ENTITLED AN ACT TO PROVIDE

LEADERSHIP, COORDINATION, AND STRUCTURE FOR AGRICULTURAL EDUCATION PROGRAMS AND FUTURE FARMERS OF AMERICA ACTIVITIES IN THE PUBLIC SCHOOLS, is referred to the Committee on Appropriations, Subcommittee on Education.

By Representatives Grady, Buchanan, Davis, Mercer, Morgan, and Preston:

H.B. 764, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COMMUNITY COLLEGE CAPITAL PROJECTS, is referred to the Committee on Appropriations, Subcommittee on Education.

By Representatives Preston, Allred, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Cummings, Davis, Edwards, Grady, Hayes, Ives, Justus, Kiser, McComas, Mercer, Miner, Morgan, Nichols, Rayfield, Sexton, Sharpe, Shubert, Snowden, and Thompson:

H.B. 765, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS F FELONY TO ASSAULT A LAW ENFORCEMENT OFFICER, is referred to the Committee on Judiciary II.

By Representatives Brawley, Aldridge, Buchanan, Gardner, Howard, Miner, Mitchell, Warner, and Watson:

H.B. 766, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE UNIFORM THE LAWS REGARDING THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OLD, is referred to the Committee on Judiciary I.

By Representatives Sexton, Adams, Beall, Bowen, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Cummings, Fitch, Hurley, Justus, Kiser, McComas, K. Miller, Mitchell, Pate, Reynolds, Sharpe, Snowden, Sutton, Warner, Weatherly, Womble, and Yongue:

H.B. 767, A BILL TO BE ENTITLED AN ACT PROMOTING THE USE OF THE EDDIE EAGLE ELEMENTARY GUN SAFETY EDUCATION PROGRAM IN STATE'S ELEMENTARY SCHOOLS, is referred to the Committee on Education.

By Representatives Sexton, Adams, Beall, Bowen, Buchanan, Carpenter, Clary, Cocklereece, Culp, Fitch, Hurley, Justus, McComas, K. Miller, Mitchell, Pate, Sharpe, Snowden, Sutton, Warner, Womble, Wright, and

Yongue:

H.B. 768, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE HIGHWAY USE TAX TRADE-IN ALLOWANCE APPLIES WHEN TWO CARS ARE EXCHANGED FOR ONE ANOTHER, is referred to the Committee on Finance.

By Representatives Hurley, J. Brown, Buchanan, Cocklereece, Culp, Redwine, Sexton, Shaw, and Tolson:

H.B. 769, A BILL TO BE ENTITLED AN ACT TO ADOPT OFFICIAL STATE DANCES, is referred to the Committee on State Government.

By Representatives McMahan, Barbee, Berry, Buchanan, Cansler, Clary, Cummings, Dickson, Eddins, Edwards, Grady, Hayes, Lemmond, Linney, K. Miller, Owens, Pulley, Rayfield, Reynolds, Sharpe, Sherrill, Shubert, and C. Wilson:

H.B. 770, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF COUNTY SERVICE DISTRICTS FOR LAW ENFORCEMENT SERVICES AND TO CHANGE THE REQUIREMENTS FOR CREATION OF DISTRICTS COVERING THE ENTIRE UNINCORPORATED AREA OF A COUNTY, is referred to the Committee on Judiciary II.

By Representatives Barnes, Alexander, Beall, Black, Blue, Bowie, Braswell, W. Brown, Buchanan, Church, Culpepper, Cummings, Cunningham, Dickson, Easterling, Fitch, Fox, Gamble, Grady, Hackney, Hensley, Hightower, Hunt, H. Hunter, Hurley, Lee, Lemmond, Locke, Luebke, McAllister, McCrary, McLaughlin, McMahan, Michaux, G. Miller, Oldham, Ramsey, Redwine, Richardson, Robinson, Rogers, Russell, Sexton, Sutton, Thompson, Tolson, Wainwright, Warner, Wilkins, Womble, Wright, and Yongue:

H.B. 771, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO LOCAL SCHOOL ADMINISTRATIVE UNITS FOR PUBLIC SCHOOL BUILDING CAPITAL PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, is referred

to the Committee on Finance.

By Representatives Easterling, Adams, Alexander, Barnes, Buchanan, Culp, Earle, Edwards, Fitch, Gamble, Hensley, Hunt, Luebke, McLaughlin, Michaux, G. Miller, Nye, Oldham, Redwine, Richardson, Russell, Sexton, Thompson, Warner, Womble, and Yongue:

H.B. 772, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN BY ALIGNING THE FISCAL YEAR AND THE CALENDAR YEAR OF THE PLAN AND HMOS, PROVIDING LIMITED CONTRIBUTIONS FOR EMPLOYEES WHO HAVE LOST THEIR JOBS DUE TO A REDUCTION IN FORCE, ALLOWING RIF'D EMPLOYEES TO PURCHASE COVERAGE FROM THE STATE PLAN, PROVIDING PARTIAL CONTRIBUTION TOWARD DEPENDENT COVERAGE, ALLOWING MATERNITY BENEFITS TO ELIGIBLE DEPENDENTS, INCREASING THE WELLNESS BENEFIT, CHANGING THE PRESCRIPTION DRUG REIMBURSEMENT FORMULA, PLACING THE PENALTY FOR NOT SEEKING CERTIFICATION WITH THE RESPONSIBLE PARTY, ALLOWING FOR IMPROVED BENEFITS WHEN ONE INCISION IS USED FOR MORE THAN ONE PROCEDURE, OMITTING THE OFFICE VISIT COPAY FOR RETIREES ON MEDICARE, COVERING ORAL SURGERY NECESSITATED BECAUSE OF MEDICAL TREATMENT, AND TO DOUBLE THE LIFETIME MAXIMUM BENEFIT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bowie and Russell (Co-Sponsors); Adams, Aldridge, Alexander, Allred, Barbee, Barnes, Berry, Bowen, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Clary, Crawford, Creech, Culpepper, Cummings, Decker, Dickson, Dockham, Easterling, Gamble, Gardner, Grady, Hiatt, Holmes, Howard, Hunt, H. Hunter, Ives, Justus, Lemmond, Luebke, McAllister, McCombs, Mercer, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Owens, Preston, Pulley, Redwine, Robinson, Sharpe, Sherrill, Shubert, Tolson, Warner, Watson, Wilkins, C. Wilson, and Wood:

H.B. 773, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT ACCESS BY WOMEN TO OBSTETRICIAN-GYNECOLOGISTS, is referred to the Committee on Health and Environment.

By Representatives Dickson, Adams, Alexander, Barnes, Beall, Black, Bowie, W. Brown, Buchanan, Church, Easterling, Edwards, Gray, Hill, McCrary, K. Miller, Miner, Oldham, Robinson, Russell, Sherrill, Sutton,

Thompson, Warner, Watson, Weatherly, Wilkins, Womble, Wright, and Yongue:

H.B. 774, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE PRACTICES BETWEEN AND AMONG PHYSICIANS AND MID-LEVEL HEALTH CARE PROVIDERS, is referred to the Committee on Judiciary I.

By Representatives Lee, Daughtry, and Hightower:

H.B. 775, A BILL TO BE ENTITLED AN ACT TO UPDATE THE STATUTORY MORTALITY TABLES USED AS EVIDENCE, is referred to the Committee on Judiciary II.

By Representatives Reynolds, Aldridge, Allred, Arnold, Baker, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Daughtry, Davis, Eddins, Ellis, Hayes, Ives, Linney, McMahan, K. Miller, Nichols, Pate, Preston, Rayfield, Russell, Sexton, Sherrill, Tallent, and Weatherly:

H.B. 776, A BILL TO BE ENTITLED AN ACT TO REQUIRE SINGLE-MEMBER DISTRICTS FOR THE GENERAL ASSEMBLY AFTER THE NEXT REDISTRICTING, is referred to the Committee on Judiciary I.

By Representatives Luebke, Capps, Decker, Michaux, G. Miller, and Pulley:

H.B. 777, A BILL TO BE ENTITLED AN ACT TO PERMIT THE REALLOCATION OF THE HIGHWAY TRUST FUND URBAN LOOP FUNDS FOR OTHER TRANSPORTATION IMPROVEMENT PROGRAM PROJECTS AND PUBLIC TRANSPORTATION, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representative Daughtry:

H.B. 778, A BILL TO BE ENTITLED AN ACT TO ADJUST THE COMPENSATION OF EMERGENCY SUPERIOR COURT JUDGES, is referred to the Committee on Judiciary I.

By Representative Crawford:

H.B. 779, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA BOARD OF EMPLOYEE ASSISTANCE

PROFESSIONALS AND TO PROVIDE FOR THE LICENSING OF EMPLOYEE ASSISTANCE PROFESSIONALS, is referred to the Committee on Business and Labor.

By Representative Barbee:

H.B. 780, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INSURANCE AGENTS AND BROKERS WHO HAVE BEEN LICENSED FOR THREE YEARS OR MORE MUST COMPLY WITH CONTINUING EDUCATION REQUIREMENTS EVERY TWO YEARS RATHER THAN ONCE A YEAR, is referred to the Committee on Insurance.

By Representatives Linney, Arnold, Baker, Barbee, Berry, Buchanan, Cansler, Capps, Clary, Cocklereece, Culp, Daughtry, Davis, Decker, Dickson, Dockham, Gardner, Hayes, Ives, Justus, Lemmond, McMahan, Miner, Pate, Pulley, Rayfield, Reynolds, Russell, Sexton, Tallent, Watson, Weatherly, C. Wilson, and G. Wilson:

H.B. 781, A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE FUNDING OF K-12 LEGISLATIVE TUITION GRANTS TO PARENTS OF SCHOOL-AGED CHILDREN IN NORTH CAROLINA, is referred to the Committee on Appropriations, Subcommittee on Education.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 24,** A BILL TO BE ENTITLED AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS, is read the first time and referred to the Committee on Education.

S.B. 83, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM STATUTORY RULE AGAINST PERPETUITIES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary II.

S.B. 357, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT OF MAKING QUARTERLY REPORTS OF MILEAGE OF STATE VEHICLES ASSIGNED TO THE DEPARTMENT AND TO ALLOW ASSIGNMENTS OF VEHICLES TO THE DEPARTMENT TO BE REVOKED ONLY WHEN

THE DEPARTMENT CONSENTS, is read the first time and referred to the Committee on Transportation.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 167, AN ACT TO ALLOW COUNTIES NOT TO BILL FOR PROPERTY TAXES ON CERTAIN VEHICLES WHEN THE AMOUNT DUE ON THE TAX BILL IS LESS THAN THE COST OF PREPARING AND SENDING THE BILL. (CHAPTER 24)

S.B. 286, AN ACT TO REQUIRE LABORATORIES TO PERFORM COMPOSITE TESTING OF WATER SAMPLES AS PART OF THE LABORATORY CERTIFICATION PROGRAM IN AN EFFORT TO REDUCE COSTS OF WATER TESTS. (CHAPTER 25)

S.B. 333, AN ACT TO AUTHORIZE THE ADDITION OF RUN HILL STATE NATURAL AREA TO THE STATE PARKS SYSTEM. (CHAPTER 26)

H.B. 161, AN ACT TO PROVIDE THE PUBLIC WITH ACCESS TO LOW-COST TELECOMMUNICATIONS SERVICE IN A CHANGING COMPETITIVE ENVIRONMENT. (CHAPTER 27)

RE-REFERRAL

On motion of Representative Morgan and without objection, **H.B. 445,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EXPEDITED EVICTION ACTIONS IN CERTAIN PUBLIC HOUSING AUTHORITY CASES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary I.

CALENDAR

Action is taken on the following:

H.B. 383, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT THE DARE COUNTY BOARD OF COMMISSIONERS LEVY TAXES ON BEHALF OF THE DUCK AREA BEAUTIFICATION DISTRICT, WHICH IS A SPECIAL DISTRICT ESTABLISHED UNDER ARTICLE VII OF THE

CONSTITUTION, NOT A SPECIAL TAX AREA, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Fitch, Fox, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 100.

Voting in the negative: Representative Creech.

Excused absences: Representatives Barbee, Clary, Esposito, Kiser, Snowden, and Tallent - 6.

H.B. 464, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF HOPE MILLS A DESCRIBED TERRITORY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Barbee, Clary, Esposito, Kiser, Snowden, and Tallent - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 248,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT UNION COUNTY AND COLUMBUS COUNTY MAY ASSESS A FIRE PROTECTION FEE ON CERTAIN MOBILE HOMES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Linney, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 100.

Voting in the negative: Representatives Creech, Decker, Locke, and Luebke - 4.

Excused absences: Representatives Barbee, Clary, Esposito, Kiser, Snowden, and Tallent - 6.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of the Chair, **H.B. 771,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO LOCAL SCHOOL ADMINISTRATIVE UNITS FOR PUBLIC SCHOOL BUILDING CAPITAL PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL

SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, which was originally referred to the Committee on Appropriations, Subcommittee on Education, is re-referred to the Committee on Finance.

CALENDAR (continued)

H.B. 493, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT MODIFYING THE VOTE REQUIRED FOR PRIVATE SALE OF PROPERTY BY THE CITY OF GREENSBORO FOR PUBLIC PURPOSES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 517, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN VANCE COUNTY BY PROVIDING FOR REGISTRATION AT ANY TIME AND BY ELIMINATING THE REQUIREMENT THAT REGISTRATION BE RENEWED ANNUALLY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 592, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN GRANVILLE COUNTY BY PROVIDING FOR REGISTRATION AT ANY TIME, BY ELIMINATING THE REQUIREMENT THAT REGISTRATION BE RENEWED ANNUALLY, AND BY PROVIDING THAT A REGISTRANT MUST FURNISH THE POSTED NOTICES REQUIRED TO COMPLY WITH THE LAW, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 647, A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL OF THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF ABERDEEN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 265,** A BILL TO BE ENTITLED AN ACT TO ADD CALDWELL COUNTY TO THE AREAS COVERED BY THE STATEWIDE FOX MANAGEMENT PLAN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 160,** A BILL TO BE ENTITLED AN ACT TO CREATE A DRUG-FREE PUBLIC HOUSING ZONE BY PROVIDING AN ENHANCED PENALTY FOR DRUG OFFENSES NEAR PUBLIC HOUSING IN THE CITIES OF EAST SPENCER, SALISBURY, AND WINSTON-SALEM.

On motion of Representative Decker, the bill is temporarily displaced.

H.B. 519, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TRAPPING AND KILLING OF RED WOLVES BY OWNERS OF PRIVATE LAND IN BEAUFORT COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Gardner and without objection, **H.B. 160,** A BILL TO BE ENTITLED AN ACT TO CREATE A DRUG-FREE PUBLIC HOUSING ZONE BY PROVIDING AN ENHANCED PENALTY FOR DRUG OFFENSES NEAR PUBLIC HOUSING IN THE CITIES OF EAST SPENCER, SALISBURY, AND WINSTON-SALEM, is withdrawn from the Calendar and placed on the Calendar for April 10.

CALENDAR (continued)

H.B. 15, A BILL TO BE ENTITLED AN ACT TO ESTABLISH STATE POLICY REGARDING THE CONSTRUCTION OF PRISONS.

Representative Adams offers Amendment No. 1.

On motion of Representative R. Hunter, Amendment No. 1 is divided into

parts A and B pursuant to Rule 24.1B.

Representative R. Hunter calls for the "ayes" and "noes" on the amendment and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 1A fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Wilkins, Womble, Wright, and Yongue - 50.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Lemmond, Linney, McComas, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Thompson, Warner, Watson, Weatherly, C. Wilson, and G. Wilson - 58.

Excused absences: Representatives Barbee, Clary, Esposito, Kiser, Snowden, and Tallent - 6.

Amendment No. 1B fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Cunningham, Earle, Easterling, Fitch, Gamble, Hackney, Hensley, Hightower, H. Hunter, Locke, Luebke, McAllister, McCrary, McLaughlin, Michaux, G. Miller, Nye, Oldham, Redwine, Richardson, Shaw, Sutton, Wainwright, Wilkins, Womble, Wright, and Yongue - 36.

Voting in the negative: Representatives Aldridge, Alexander, Allred, Arnold, Baker, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Fox, Grady, Gray,

Hayes, Hiatt, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Linney, McComas, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Thompson, Tolson, Warner, Watson, Weatherly, C. Wilson, and G. Wilson - 72.

Excused absences: Representatives Barbee, Clary, Esposito, Kiser, Snowden, and Tallent - 6.

Representative Barnes offers Amendment No. 2 which fails of adoption by electronic vote (42-63).

Representative Justus calls the previous question on the passage of the bill and the call is sustained by electronic vote (86-20).

The bill passes its third reading, by electronic vote (89-18), and is ordered sent to the Senate.

Committee Substitute for **H.B. 174,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGISLATIVE CONFIRMATION OF CERTAIN EXECUTIVE APPOINTMENTS.

On motion of Representative Black, the bill is withdrawn from the Calendar and re-referred to the Committee on Ways and Means.

H.B. 554, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FLAGS TO SIGNAL THE PRESENCE OF SKIERS AND OTHER PERSONS IN THE WATER.

Representative Wilkins offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (106-0).

Representative Hightower objects to the third reading. The bill remains on the Calendar.

S.B. 207, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BOND REQUIREMENTS FOR PUBLIC UTILITIES PROVIDING WATER OR SEWER SERVICES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

WITHDRAWAL OF OBJECTION TO THE THIRD READING

Representative Hightower withdraws his objection to the third reading of **H.B. 554,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FLAGS TO SIGNAL THE PRESENCE OF SKIERS AND OTHER PERSONS IN THE WATER.

Representative Hightower offers Amendment No. 2 which is adopted by electronic vote (67-37).

The bill, as amended, passes its third reading, by electronic vote (105-0), and is ordered engrossed and sent to the Senate.

SUBCOMMITTEE REFERRAL

Representatives Creech and Holmes, Co-Chairs for the Standing Committee on Appropriations, refer:

H.B. 24, A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF FOOD STAMPS TO PARTICIPATE IN WORKFARE, to the Permanent Subcommittee on Human Resources.

On motion of Representative Morgan, seconded by Representative Carpenter, the House adjourns at 4:47 p.m. to reconvene Monday, April 10, 1995, at 7:00 p.m.

FORTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, April 10, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our loving Heavenly Father, thank You for another weekend with family

and friends. For being reminded that You rode a donkey into Jerusalem, of palm branches and coats spread on the ground. This beginning of the saddest and the gladdest week of the year, when mankind did it's worst and You did Your best. It's not just an Easter bonnet with frills and trills upon it, nor beach trips, or orchids, or egg hunts on the lawn. But it's You reaching down into the cussedness, meanness, cruelty, and hate of this world and showing us a better way, and giving us a second chance. Lord, You sure did choose an awful and tough way to do it. A Roman Cross, whips and nails, a crown of thorns and a spear. Then You said what only You could say, 'Father, forgive them for they know not what they do'. What a totally ungrateful bunch of folks we are if we forget. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 6 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (97-0).

Leaves of absence are granted Representatives Esposito, Sexton, Snowden, and Wood for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 207, AN ACT TO MODIFY THE BOND REQUIREMENTS FOR PUBLIC UTILITIES PROVIDING WATER OR SEWER SERVICES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE. (CHAPTER 28)

H.B. 188, AN ACT TO EXTEND TO THE CITY OF LUMBERTON PROVISIONS OF A LOCAL ACT WHICH PROVIDE THAT SERVICE IN HOUSING CODE CASES IS SUFFICIENT WHEN A REGULAR LETTER IS SENT OUT ALONG WITH A REGISTERED OR CERTIFIED LETTER, AND THE REGULAR LETTER IS NOT RETURNED, BUT THE REGISTERED OR CERTIFIED MAIL IS UNCLAIMED OR REFUSED. (CHAPTER 29)

H.B. 313, AN ACT TO AMEND THE CHARTER OF THE CITY OF MOUNT AIRY TO CHANGE FROM PARTISAN TO NONPARTISAN THE

METHOD OF ELECTING THE MAYOR AND BOARD OF COMMISSIONERS. (CHAPTER 30)

H.B. 317, AN ACT RELATING TO ELECTIONS OF THE CITY OF WINSTON-SALEM AND THE COUNTY OF FORSYTH SO THAT THE GENERAL LAW WILL APPLY ON SHARING OF COSTS OF THE COUNTY BOARD OF ELECTIONS. (CHAPTER 31)

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Hurley, Alexander, Bowie, J. Brown, W. Brown, Culp, Fox, Gamble, Justus, McMahan, Owens, Richardson, Sutton, and Tolson:

H.B. 782, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ENTRY OF ABC LICENSED PREMISES BY LOCAL LAW ENFORCEMENT OFFICERS, is referred to the Committee on Judiciary II.

By Representatives Berry and Buchanan:

H.B. 783, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF CERTAIN PERMITS ON SCHOOL PROPERTY, is referred to the Committee on Education.

By Representatives Pate, Allred, J. Brown, Clary, Davis, Hayes, Holmes, Linney, K. Miller, Russell, Weatherly, and G. Wilson:

H.B. 784, A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF INSTALLMENT PURCHASE FINANCING, WHEREBY GOVERNMENTS IN EFFECT BORROW MONEY WITHOUT A VOTE OF THE PEOPLE, TO CONTRACTS NOT EXCEEDING THREE HUNDRED THOUSAND DOLLARS, is referred to the Committee on Finance.

By Representatives Pate, Baker, Barbee, Capps, Clary, Cummings, Daughtry, Davis, Decker, Hayes, Hurley, Linney, McMahan, G. Miller, K. Miller, Nichols, Rayfield, Russell, Sexton, Sharpe, Sherrill, Snowden, Tallent, Warner, Watson, Weatherly, and G. Wilson:

H.B. 785, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT

THE OPEN MEETINGS LAW APPLIES TO ALL PROCEDURES OF THE GENERAL ASSEMBLY INCLUDING THE BUDGET PROCESS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cummings, Adams, Barbee, Beall, Black, Blue, Boyd-McIntyre, Braswell, J. Brown, Buchanan, Cansler, Clary, Cocklereece, Culp, Cunningham, Davis, Decker, Earle, Fitch, Gardner, Hensley, H. Hunter, Hurley, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCrary, McMahan, K. Miller, Miner, Oldham, Pate, Preston, Pulley, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Snowden, Sutton, Wainwright, Warner, Weatherly, G. Wilson, Womble, Wright, and Yongue:

H.B. 786, A BILL TO BE ENTITLED AN ACT TO DEFINE A PROFESSIONAL FIREFIGHTER'S EMPLOYEE RETIREMENT CLASSIFICATION AND BENEFIT ACCRUAL RATE FOR MEMBERS AND BENEFICIARIES OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative Black:

H.B. 787, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF LICENSED PHARMACISTS UNDER HEALTH INSURANCE POLICIES AND PLANS, is referred to the Committee on Insurance.

By Representative Dockham:

H.B. 788, A BILL TO BE ENTITLED AN ACT TO INCLUDE HOSPITAL, MEDICAL, AND DENTAL SERVICE PLANS UNDER THE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, is referred to the Committee on Insurance.

By Representative Baker:

H.B. 789, A BILL TO BE ENTITLED AN ACT TO ALLOCATE THE DUTIES OF ROLLER SKATING RINK OPERATORS AND THE DUTIES OF ROLLER SKATERS AT ROLLER SKATING RINKS AS THESE DUTIES RELATE TO SAFETY AND LIABILITY FOR PERSONAL INJURY, is referred to the Committee on Judiciary I.

By Representatives Gamble and G. Miller:

H.B. 790, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND SIMPLIFY THE DECLARATION OF A RIGHT TO A NATURAL DEATH, is referred to the Committee on Judiciary I.

By Representatives Hunt, Black, Brawley, J. Brown, Buchanan, Church, Culpepper, Daughtry, Decker, Gardner, Hensley, Hill, Howard, Justus, Locke, Luebke, McCombs, G. Miller, Mitchell, Morgan, Neely, Richardson, Rogers, Wilkins, and Wood:

H.B. 791, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONVICTION OF THIRD OR SUBSEQUENT DRIVING WHILE IMPAIRED MAKES MOTOR VEHICLE SUBJECT TO FORFEITURE, is referred to the Committee on Judiciary II.

By Representative Owens:

H.B. 792, A BILL TO BE ENTITLED AN ACT TO DIRECT THE UTILITIES COMMISSION TO PROVIDE THAT EACH FRANCHISED NATURAL GAS DISTRIBUTION COMPANY SHALL EXPAND SERVICE TO ALL AREAS OF ITS FRANCHISE TERRITORY WITHIN THREE YEARS OR LOSE ITS EXCLUSIVE RIGHTS TO THE FRANCHISE TERRITORY, is referred to the Committee on Public Utilities.

By Representatives G. Wilson and Buchanan:

H.B. 793, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA HIGH COUNTRY HOST, INC., FOR OPERATING EXPENSES OF THE VISITOR AND WELCOME CENTER IN THE TOWN OF BOONE, is referred to the Committee on Appropriations.

By Representatives G. Wilson, Baker, Beall, J. Brown, Buchanan, Carpenter, Culp, Hiatt, Kiser, Nye, Ramsey, Sherrill, and Thompson:

H.B. 794, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FORESTRY GENETICIST POSITION AT NORTH CAROLINA STATE UNIVERSITY, COLLEGE OF FOREST RESOURCES, is referred to the Committee on Appropriations.

By Representatives Alexander, Adams, Barnes, Beall, Capps, Church, Dickson, Fox, Gamble, Hightower, Hill, R. Hunter, Hurley, Justus, Lee,

Luebke, Michaux, Oldham, Richardson, Sutton, Tolson, Warner, Watson, and G. Wilson:

H.B. 795, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROVIDE HEPATITIS B VACCINE FOR HIGH SCHOOL ENTRANTS, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Alexander, Adams, Black, Buchanan, Church, Dickson, Gamble, Hill, Hurley, Locke, Luebke, McCrary, G. Miller, Richardson, Watson, Wilkins, and G. Wilson:

H.B. 796, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROVIDE VACCINE FOR IMMUNIZING CHILDREN AGAINST CHICKEN POX, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Daughtry, Hill, and G. Miller:

H.B. 797, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW, is referred to the Committee on Judiciary I.

By Representatives Culp and Buchanan:

H.B. 798, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN REQUIREMENTS PERTAINING TO MATERIALS USED IN CONJUNCTION WITH FOOD CONSUMPTION, is referred to the Committee on Business and Labor.

By Representatives McMahan, Beall, Hensley, Lemmond, and Mercer:

H.B. 799, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DEFINITION OF CREDIT ACCIDENT AND HEALTH INSURANCE, is referred to the Committee on Insurance.

By Representatives McComas and Redwine:

H.B. 800, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAROLINA BEACH AREA SOUTH PROJECT AT KURE BEACH FOR BEACH RENOURISHMENT, is referred to the

Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Justus, Aldridge, Barbee, Beall, Berry, Bowie, Brawley, J. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Davis, Decker, Dockham, Eddins, Hayes, Hurley, Ives, Kiser, Lemmond, Linney, McMahan, Mercer, Mitchell, Nye, Preston, Pulley, Ramsey, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Thompson, C. Wilson, and G. Wilson:

H.B. 801, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF HIV ASSAULT, is referred to the Committee on Judiciary II.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute for **S.B. 414,** A BILL TO BE ENTITLED AN ACT TO "OPT-IN" FOR INTERSTATE BRANCHING AUTHORITY UNDER THE RIEGLE-NEAL INTERSTATE BANKING AND BRANCHING EFFICIENCY ACT OF 1994, is read the first time and referred to the Committee on Financial Institutions.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 248,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT UNION COUNTY AND COLUMBUS COUNTY MAY ASSESS A FIRE PROTECTION FEE ON CERTAIN MOBILE HOMES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Barnes, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs,

McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Sharpe, Sherrill, Shubert, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright and Yongue - 98.

Voting in the negative: Representatives Arnold, Berry, Creech, and Luebke - 4.

Excused absences: Representatives Esposito, Sexton, Snowden, and Wood - 4.

Committee Substitute for **H.B. 160,** A BILL TO BE ENTITLED AN ACT TO CREATE A DRUG-FREE PUBLIC HOUSING ZONE BY PROVIDING AN ENHANCED PENALTY FOR DRUG OFFENSES NEAR PUBLIC HOUSING IN THE CITIES OF EAST SPENCER, SALISBURY, AND WINSTON-SALEM.

On motion of Representative Decker, the bill is withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government II.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 311,** A BILL TO BE ENTITLED AN ACT TO MAKE USE OF A COUNTERFEIT TRADEMARK A CRIME IN NORTH CAROLINA.

On motion of Representative Robinson and without objection, consideration of the bill is postponed until April 11.

Committee Substitute for **H.J.R. 124,** A JOINT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO REDECLARE THE WAR ON ILLEGAL DRUGS AND HONORING THE INNOCENT AMERICANS KILLED IN ILLEGAL DRUG-RELATED INCIDENTS, passes its second reading by electronic vote (60-30).

Representative Neely objects to the third reading. The resolution remains on the Calendar.

H.J.R. 501, A JOINT RESOLUTION HONORING THE LIFE AND

MEMORY OF THE LATE JAMES MARSHALL HALL, FORMER MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

H.J.R. 535, A JOINT RESOLUTION HONORING THE VETERANS OF NORTH CAROLINA WHO SERVED DURING WORLD WAR II, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

INTRODUCTION OF PAGES

Pages for the week of April 10-14 are introduced to the membership. They are: Rebecca Ahlin of Wake; Keegan Anderson of Mitchell; Nick Askew of Lenoir; Tracy Bryan of Wake; Jennifer Cox of Onslow; Aaron Freeman of Wake; Kesha Gary of Henderson; Leigh Goodman of Wake; Karen Huskins of Wake; Ronda King of Onslow; Matthew Miller of Iredell; Denise Minor of Lenoir; Alice Nuckolls of Henderson; Kenyetta Parks of Henderson; Lisa Robinson of Mitchell; Nikki Snyder of Mitchell; Beth Spade of Cumberland; Jessica Spence of Wake; Matt Taylor of Yadkin; Katherine Thompson of Robeson; Leslie Ann Turner of Scotland; Jason Tyson of Cumberland; Caroline Tyson of Cumberland; David Walter of Lenoir; and Kristy West of Wake.

On motion of Representative Morgan, seconded by Representative Cocklereece, the House adjourns at 7:38 p. m. to reconvene April 11 at 3:00 p.m.

FORTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 11, 1995

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Heavenly Father, sometimes I don't feel like praying in the middle of the afternoon. I'm not much in the mood, but maybe that's when I need it most. I've been in committee meetings, and public hearings all day. I've lobbied and been lobbied, constituents have called, and the media pops up everywhere. My bill has been criticized, compromised, and homogenized. Now here I am on the floor. When I speak and if I speak, please help me to present my case and make it clear. But Lord, I guess this is nothing compared to what You went through after old Judas kissed You and You went before that scalawag Caiphus and his crew. You stood strong and firm and true, and You did it for me. So, help me Lord to do my best and make me more like you. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-0).

Leaves of absence are granted Representatives W. Brown, Esposito, Linney, G. Miller, Richardson, and Snowden for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 342, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ROCKINGHAM TO MAKE SATELLITE ANNEXATIONS OF LESS THAN AN ENTIRE SUBDIVISION WHEN THE PROPERTY IS DEVELOPED FOR COMMERCIAL OR INDUSTRIAL USE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Representative Decker submits the following bill with a favorable report for introduction:

A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO REQUIRE LIFE PRESERVERS IN ALL VESSELS.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 977** and placed on the Calendar for April 12 for its first reading.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 343, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW ON HUNTING WITH DOGS IN ANSON COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 12.

H.B. 572, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF ELECTION OF THE LAURINBURG CITY COUNCIL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 12.

H.B. 604, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SUNSET BEACH TO REGULATE AND CONTROL DEBRIS AND OTHER MATERIALS RESULTING FROM BOATING ACCIDENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 12.

H.B. 632, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 12.

H.B. 754, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A WATER AND SEWER AUTHORITY WAS FORMED BY A COUNTY AND ONE CITY, AND THE MAJORITY OF THE CUSTOMERS OF THE AUTHORITY ARE LOCATED WITHIN A CITY THAT IS NOT A MEMBER, THAT CITY MAY JOIN THE AUTHORITY AND APPOINT MEMBERS TO ITS GOVERNING BOARD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 12.

SUBCOMMITTEE REFERRALS

Representatives Berry and Howard, Co-Chairs for the Standing Committee on Welfare Reform and Human Resources, refer the following bills to the Permanent Subcommittee on Aging:

H.B. 332, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE NURSING HOME PENALTY ASSESSMENT LAW;

H.B. 378, A BILL TO BE ENTITLED AN ACT TO RESOLVE POSSIBLE CONFLICT IN LAWS REGARDING TEMPORARY MANAGEMENT OF LONG-TERM CARE FACILITIES AND STATE/COUNTY SPECIAL ASSISTANCE FOR ADULTS;

H.B. 380, A BILL TO BE ENTITLED AN ACT TO REPEAL THE TWELVE THOUSAND DOLLAR EXCLUSION LIMITATION ON CERTAIN PROPERTY FOR PURPOSES OF DETERMINING ELIGIBILITY FOR THE STATE/COUNTY SPECIAL ASSISTANCE TO ADULTS PROGRAM;

H.B. 451, A BILL TO BE ENTITLED AN ACT TO EXPAND THE ADMINISTRATIVE PENALTY PROCESS TO HOSPITALS, HOME CARE AGENCIES, AND HOSPICES; and

H.B. 756, A BILL TO BE ENTITLED AN ACT TO AID IN ENSURING THAT RESIDENTS IN DOMICILIARY CARE HOMES ARE IN SAFE AND WELL-MANAGED FACILITIES.

EXTENSION OF BILL FILING DEADLINE

On motion of the Chair, and without objection, the filing deadline in Rule 31.1(b) is extended from 3:00 p.m. to 4:00 p.m.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By House State Government Committee:

H.B. 802, A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPROCAL BID PREFERENCES, is referred to the Committee on State Government.

By Representatives Rogers, Aldridge, Edwards, Mercer, and Tolson:

H.B. 803, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE EAST CAROLINA UNIVERSITY SCHOOL OF MEDICINE'S USE OF CERTAIN RECEIPTS, is referred to the Committee on Appropriations, Subcommittee on Education.

By Representatives Rogers, Barnes, Black, Crawford, Culpepper, Cummings, Davis, H. Hunter, McAllister, McLaughlin, Mercer, Oldham, Pate, Reynolds, Russell, Sexton, Sharpe, Shubert, Sutton, Tolson, Wainwright, Warner, Wood, and Yongue:

H.B. 804, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SCHOOL IMPROVEMENT INCENTIVE GRANT PROGRAM, is referred to the Committee on Appropriations.

By Representative Richardson:

H.B. 805, A BILL TO BE ENTITLED AN ACT TO RESTORE MINIMUM PENALTIES FOR MAJOR WILDLIFE OFFENSES AND TO MAKE OTHER MINOR REVISIONS TO THE PENALTY PROVISIONS FOR WILDLIFE OFFENSES, is referred to the Committee on Health and Environment.

By Representatives Creech, Buchanan, Carpenter, K. Miller, and Sexton:

H.B. 806, A BILL TO BE ENTITLED AN ACT TO PHASE DOWN THE SALES TAX ON ELECTRICITY AND NATURAL GAS USED IN FARMING AND MANUFACTURING FROM THREE PERCENT TO ONE PERCENT OVER SIX YEARS, is referred to the Committee on Finance.

By Representative Miner:

H.B. 807, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE CRIMINAL RECORD CHECKS TO HOME CARE AGENCIES AND HOSPICES, is referred to the Committee on Judiciary II.

By Representatives Nichols, Aldridge, Arnold, Creech, Culp, Culpepper, Edwards, Fitch, Grady, Hayes, Justus, McComas, Mercer, Miner, Mitchell, Owens, Pate, Preston, Redwine, Russell, Sherrill, Wainwright, Warner, and C. Wilson:

H.B. 808, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE UNIVERSITY OF NORTH CAROLINA AND NORTH CAROLINA STATE UNIVERSITY TO PLAY EAST CAROLINA UNIVERSITY IN FOOTBALL, is referred to the Committee on Education.

By Representatives Culpepper and Nichols (Co-Sponsors); Allred, Arnold, Crawford, H. Hunter, Lemmond, Miner, Owens, and Sutton:

H.B. 809, A BILL TO BE ENTITLED AN ACT GIVING COUNTIES THE AUTHORITY TO ALLOW THE OPERATION OF A LOTTERY IN THAT COUNTY, TO PROVIDE FOR STATE REGULATION OF LOCALLY APPROVED LOTTERY OPERATIONS, AND TO DISTRIBUTE TO EACH COUNTY AND THE CITIES LOCATED IN THE COUNTY THE NET PROCEEDS OF LOTTERY OPERATIONS IN THAT COUNTY, is referred to the Committee on Finance.

By Representatives C. Wilson and Sexton:

H.B. 810, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRANSFER OF COURSE CREDITS BETWEEN THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY AND COMMUNITY COLLEGE SYSTEMS, is referred to the Committee on Education.

By Representatives Justus, Baker, Beall, Berry, Brawley, J. Brown, Capps, Clary, Cocklereece, Culp, Davis, Decker, Eddins, Edwards, Hayes, Hiatt, Ives, Kiser, Lemmond, McComas, McMahan, Mercer, Miner, Mitchell, Morgan, Nichols, Preston, Rayfield, Reynolds, Russell, Sharpe, Snowden, Thompson, and G. Wilson:

H.B. 811, A BILL TO BE ENTITLED AN ACT TO REPEAL JUDICIAL REVIEW OF LIFE SENTENCES WITHOUT PAROLE AFTER TWENTY-FIVE YEARS AND EVERY TWO YEARS THEREAFTER AND TO PROVIDE THAT A PERSON WHO MURDERS A LAW ENFORCEMENT OFFICER, A CORRECTIONAL OFFICER, A DISTRICT ATTORNEY, AN ASSISTANT DISTRICT ATTORNEY, A JUSTICE, OR A JUDGE IS GUILTY OF A CAPITAL OFFENSE, PUNISHABLE BY DEATH OR LIFE IMPRISONMENT WITHOUT PAROLE, is referred to the

Committee on Judiciary II.

By Representatives Brawley and McComas:

H.B. 812, A BILL TO BE ENTITLED AN ACT TO REENACT, WITH MODIFICATIONS, CERTAIN MISDEMEANORS RELATING TO FIRES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Creech and K. Miller:

H.B. 813, A BILL TO BE ENTITLED AN ACT TO EXCLUDE FROM INCOME TAX CERTAIN GAINS FROM INVESTMENTS IN QUALIFIED NORTH CAROLINA BUSINESSES, is referred to the Committee on Finance.

By Representative Gardner:

H.B. 814, A BILL TO BE ENTITLED AN ACT TO CREATE THE WELL CONTRACTORS AND PUMP CONTRACTORS CERTIFICATION COMMISSION; TO AMEND THE WELL DRILLERS AND PUMP INSTALLERS REGISTRATION REQUIREMENTS; AND MAKE VARIOUS AMENDMENTS TO THE WELL CONSTRUCTION ACT, is referred to the Committee on State Government.

By Representatives Alexander, Adams, Barnes, Bowen, Bowie, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Dickson, Earle, Easterling, Fitch, Fox, Gamble, Grady, Hensley, Hurley, Locke, Luebke, McAllister, McCrary, McLaughlin, Oldham, Preston, Redwine, Shaw, Sutton, Wainwright, Warner, Womble, Wright, and Yongue:

H.B. 815, A BILL TO BE ENTITLED AN ACT TO ALLOW TAXPAYERS TO CONTRIBUTE INCOME TAX REFUNDS FOR BREAST CANCER RESEARCH BY THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Finance.

By Representatives Nichols, J. Brown, McMahan, Reynolds, and Weatherly:

H.B. 816, A BILL TO BE ENTITLED AN ACT TO CREATE UNIFORM PROCEDURES FOR AIR, WATER, AND MINING PERMIT APPEALS AND TO STREAMLINE THE PERMIT APPEAL PROCESS, is referred to the Committee on Health and Environment and, if favorable, to the Committee on Judiciary I.

By Representatives Nichols, J. Brown, Linney, McMahan, Reynolds, Sexton, and Weatherly:

H.B. 817, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PERFORMANCE OF ENVIRONMENTAL AUDITS AND SIMILAR ENVIRONMENTAL SELF-ASSESSMENTS BY PROVIDING LIMITED PROTECTION AGAINST THE DISCLOSURE OF AN AUDIT OR SELF-ASSESSMENT, INCLUDING ALL DOCUMENTS GENERATED IN THE COURSE OF PERFORMING THE AUDIT OR SELF-ASSESSMENT, AND TO GRANT IMMUNITY FROM CIVIL AND CRIMINAL PENALTIES TO AN ENTITY THAT VOLUNTARILY DISCLOSES A VIOLATION OF AN ENVIRONMENTAL LAW, is referred to the Committee on Health and Environment and, if favorable, to the Committee on Judiciary I.

By Representatives Sutton, Cummings, Hill, H. Hunter, Hurley, Lee, McAllister, Nye, Redwine, Richardson, Warner, and Yongue:

H.B. 818, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A TOWER FOR THE UNIVERSITY OF NORTH CAROLINA CENTER FOR PUBLIC TELEVISION IN ROBESON COUNTY, is referred to the Committee on Appropriations.

By Representative Hunt:

H.B. 819, A BILL TO BE ENTITLED AN ACT TO MAKE THE LARCENY OF PURCHASED GOODS BY THE SELLER A CLASS H FELONY, is referred to the Committee on Judiciary II.

By Representatives Lemmond, Aldridge, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Davis, Decker, Dickson, Dockham, Easterling, Eddins, Edwards, Ellis, Fox, Gamble, Gardner, Grady, Hayes, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Locke, McComas, McCombs, McMahan, Mercer, K. Miller, Mitchell, Morgan, Nichols, Nye, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, Wood, and Yongue:

H.B. 820, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COSTS SHALL BE ALLOWED A PREVAILING PARTY IN A CIVIL ACTION AND REASONABLE ATTORNEYS' FEES, IN WHOLE OR IN

PART, SHALL BE ALLOWED A PREVAILING PARTY IN A CIVIL ACTION AS DIRECTED BY THE COURT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Alexander, Earle, Easterling, and McAllister:

H.B. 821, A BILL TO BE ENTITLED AN ACT TO INCLUDE ENCOURAGEMENT OF BREAST FEEDING IN SERVICES PROVIDED BY THE STATE MATERNAL AND CHILD HEALTH PROGRAM, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Alexander, Earle, Easterling, Fox, H. Hunter, and Owens:

H.B. 822, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FAMILIES OF PERSONS WITH DISABILITIES SUPPORT ACT, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Alexander, Beall, Earle, Easterling, Fox, H. Hunter, McAllister, and Ramsey:

H.B. 823, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARITY IN HEALTH INSURANCE FOR MENTAL ILLNESS AND CHEMICAL DEPENDENCY, is referred to the Committee on Insurance.

By Representatives Culp, Beall, Brawley, J. Brown, Buchanan, Ives, Justus, Linney, McMahan, and Sherrill:

H.B. 824, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE FUNDING OF THREE SOIL SPECIALIST POSITIONS IN THE DIVISION OF SOIL AND WATER CONSERVATION IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is referred to the Committee on Appropriations.

By Representatives Culp, Barbee, Hayes, Nichols, Nye, Tallent, and Wainwright:

H.B. 825, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS, is referred to the Committee on Business and Labor.

By Representatives Culp, Bowen, Brawley, Buchanan, Cansler, Carpenter, Cocklereece, Dickson, Eddins, Hayes, Hurley, Kiser, McCombs, Mitchell, Preston, Rayfield, Redwine, Warner, Weatherly, and G. Wilson:

H.B. 826, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF SOIL SCIENTISTS, is referred to the Committee on State Government.

By Representatives Weatherly, J. Brown, Carpenter, Clary, Culp, Dickson, Hunt, and McMahan:

H.B. 827, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE PRACTICES OF LIMITED VOTING AND EXTENSION OF TERMS, is referred to the Committee on Judiciary II.

By Representatives Capps, Eddins, Ellis, Locke, Miner, Neely, and Pulley:

H.B. 828, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DISCONTINUANCE OF AN OXYGENATED GASOLINE PROGRAM IN ANY AREA THAT IS DESIGNATED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AS IN COMPLIANCE WITH THE FEDERAL AIR QUALITY STANDARDS, is referred to the Committee on Health and Environment.

By Representatives Watson, Black, Brawley, Buchanan, Dockham, Howard, Locke, and Wainwright:

H.B. 829, A BILL TO BE ENTITLED AN ACT TO AMEND THE VARIOUS GROUNDS FOR DISCIPLINE OF PRACTITIONERS OF CHIROPRACTIC BY THE STATE BOARD OF CHIROPRACTIC EXAMINERS, is referred to the Committee on State Government.

By Representatives Black and Wilkins:

H.B. 830, A BILL TO BE ENTITLED AN ACT TO EXTEND THE INHERITANCE TAX CREDIT TO APPLY TO CLASS B AND CLASS C BENEFICIARIES, is referred to the Committee on Finance.

By Representatives Hayes, Aldridge, Buchanan, and Rayfield:

H.B. 831, A BILL TO BE ENTITLED AN ACT TO ALLOW AREA

MENTAL HEALTH AUTHORITIES TO USE STATE FUNDS FOR THE USE OF MORE TYPES OF FACILITIES AND FOR FACILITIES OPERATED BY GOVERNMENTAL ENTITIES, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Hayes, Aldridge, Buchanan, McMahan, Mitchell, Rayfield, and Weatherly:

H.B. 832, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MEANING OF CRITICAL HABITAT, TO LIMIT THE DESIGNATION OF CRITICAL HABITAT BY THE WILDLIFE RESOURCES COMMISSION, AND TO CLARIFY DUTIES OF THE ENVIRONMENTAL MANAGEMENT COMMISSION IN THE CLASSIFICATION OF STATE WATERS, is referred to the Committee on Health and Environment.

By Representatives Hayes, Aldridge, Buchanan, Hill, Reynolds, and Weatherly:

H.B. 833, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF SPECIAL OBLIGATION BONDS OR OTHER DEBT FINANCING FOR A PROPOSED WILDLIFE COMMISSION BUILDING, is referred to the Committee on Finance.

By Representatives Hayes, Aldridge, Baker, Barbee, Berry, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Cocklereece, Culp, Cummings, Davis, Decker, Dockham, Eddins, Edwards, Ellis, Gardner, Hiatt, Hill, Howard, Justus, Linney, McMahan, K. Miller, Miner, Pate, Rayfield, Reynolds, Robinson, Russell, Sexton, Sherrill, Shubert, Thompson, Warner, Watson, Weatherly, C. Wilson, G. Wilson, and Yongue:

H.B. 834, A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR PARENTAL REVIEW OF AND TO PLACE CERTAIN RESTRICTIONS ON ANY INSTRUCTION ON SEXUALLY TRANSMITTED DISEASES OR OUT-OF-WEDLOCK PREGNANCY GIVEN AS PART OF A COMPREHENSIVE SCHOOL HEALTH PROGRAM; (2) TO MAKE CHANGES TO THE APPOINTMENTS TO THE STATE SCHOOL HEALTH ADVISORY COMMITTEE; (3) TO REQUIRE PUBLIC SCHOOLS TO OFFER AN ABSTINENCE UNTIL MARRIAGE PROGRAM; AND (4) TO AUTHORIZE LOCAL SCHOOL BOARDS TO OFFER COMPREHENSIVE SEX EDUCATION WHEN CERTAIN REQUIREMENTS CONCERNING REVIEW AND LOCAL APPROVAL ARE SATISFIED, is referred to the Committee on Education.

By Representatives Cansler, Arnold, Black, W. Brown, Church, Clary, Daughtry, Hill, Locke, Redwine, Tolson, Wainwright, Wilkins, and C. Wilson:

H.B. 835, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES RELATING TO CIVIL ACTIONS BROUGHT TO RECOVER FROM THIRD PARTIES STATE FUNDS EXPENDED ON MEDICAL CARE, is referred to the Committee on Judiciary I.

By Representatives McMahan, Aldridge, Allred, Arnold, Baker, Barbee, Black, Bowie, Brawley, J. Brown, W. Brown, Cansler, Capps, Carpenter, Clary, Creech, Culpepper, Cummings, Davis, Dickson, Dockham, Eddins, Edwards, Grady, Hayes, Kiser, Lemmond, Linney, K. Miller, Nichols, Owens, Preston, Pulley, Rayfield, Reynolds, Sharpe, Sherrill, Shubert, Tallent, Weatherly, Wilkins, and C. Wilson:

H.B. 836, A BILL TO BE ENTITLED AN ACT TO EXPEDITE THE ENVIRONMENTAL PERMITTING PROCESS BY ALLOWING THE OPTION OF SUBMITTING PERMIT APPLICATIONS CERTIFIED BY A PROFESSIONAL ENGINEER AND ALLOWING THESE APPLICATIONS TO BE IMMEDIATELY SENT TO PUBLIC NOTICE AND HEARING AND SUBJECTED TO SIMULTANEOUS TECHNICAL REVIEW, is referred to the Committee on Health and Environment and, if favorable, to the Committee on Judiciary I.

By Representatives Hiatt, Aldridge, Bowie, J. Brown, Capps, Decker, Dickson, Ives, Justus, McComas, Robinson, Sharpe, Sherrill, and G. Wilson:

H.B. 837, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TIME LIMIT WITHIN WHICH MOTOR VEHICLE MANUFACTURERS AND DISTRIBUTORS MAY AUDIT AND CHARGEBACK DEALERS FOR WARRANTY REPAIRS, is referred to the Committee on Business and Labor.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 2,** A BILL TO BE ENTITLED AN ACT TO REDUCE INCOME TAXES FOR THE WORKING PEOPLE OF NORTH CAROLINA BY INCREASING THE PERSONAL EXEMPTION DEDUCTION BY FIVE HUNDRED DOLLARS AND BY ALLOWING A TAX CREDIT OF FIFTY DOLLARS PER DEPENDENT CHILD, is returned

for concurrence in Senate committee substitute and placed on the Calendar for April 12.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 115,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPOINTMENT OF THE HALIFAX ABC BOARD AND TO PROVIDE THAT DISTRIBUTION OF REVENUE SHALL BE ACCORDING TO GENERAL STATUTE, is returned for concurrence in Senate committee substitute and placed on the Calendar for April 12.

H.B. 211, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO AUTHORIZE THE CITY COUNCIL TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, is returned for concurrence in Senate amendment and placed on the Calendar for April 12.

H.B. 373, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES, is returned for concurrence in Senate amendment and placed on the Calendar for April 12.

Upon concurrence, the Senate amendment changes the title.

S.B. 321, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO ADOPT ELIGIBILITY RULES FOR INTERSCHOLASTIC ATHLETIC COMPETITION, is read the first time and referred to the Committee on Education.

Committee Substitute for **S.B. 344,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE REQUIREMENTS FOR CERTIFICATION TO TEACH NOTARY COURSES, TO ALLOW REVOCATION OF NOTARIAL COMMISSIONS FOR NOTARIES WHO FAIL TO ADMINISTER OATHS OR AFFIRMATIONS, TO PROVIDE THAT APPLICANTS FOR RECOMMISSIONING NEED NOT OBTAIN THE RECOMMENDATION OF A PUBLICLY ELECTED OFFICIAL, AND TO ALLOW THE SECRETARY OF STATE LAW ENFORCEMENT AGENTS TO ENFORCE THE NOTARY CHAPTER, is read the first time and referred to the Committee on Judiciary I.

S.B. 375, A BILL TO BE ENTITLED AN ACT TO ENLARGE THE MEMBERSHIP OF THE STANLY COUNTY ECONOMIC DEVELOPMENT COMMISSION, is read the first time and referred to the Committee on Local and Regional Government I.

Committee Substitute for **S.B. 399,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF PODIATRY, is read the first time and referred to the Committee on Health and Environment.

S.B. 415, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS, is read the first time and referred to the Committee on Financial Institutions.

S.B. 430, A BILL TO BE ENTITLED AN ACT TO MODIFY THE INVESTMENT AUTHORITY OF A BANK UNDER THE BANKING LAWS, is read the first time and referred to the Committee on Financial Institutions.

S.B. 482, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN MISCELLANEOUS AMENDMENTS TO THE BANKING LAWS, is read the first time and referred to the Committee on Financial Institutions.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 501, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THE LATE JAMES MARSHALL HALL, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 5)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.J.R. 124,** A JOINT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO REDECLARE THE WAR ON ILLEGAL DRUGS AND HONORING THE INNOCENT AMERICANS KILLED IN ILLEGAL DRUG-RELATED INCIDENTS.

On motion of Representative Neely, the resolution is temporarily

displaced.

Committee Substitute for **H.B. 311,** A BILL TO BE ENTITLED AN ACT TO MAKE USE OF A COUNTERFEIT TRADEMARK A CRIME IN NORTH CAROLINA, passes its second reading by electronic vote (101-6).

Representative Gardner objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 72, A BILL TO BE ENTITLED AN ACT TO CRIMINALIZE INDECENT LIBERTIES BETWEEN CHILDREN, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Objection having been raised, pursuant to Rule 40(b), **H.B. 400,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS TO SEEK INJUNCTIVE RELIEF, is removed from today's Consent Calendar and placed on the regular Calendar.

The bill passes its second reading by electronic vote (105-2).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.J.R. 124,** A JOINT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO REDECLARE THE WAR ON ILLEGAL DRUGS AND HONORING THE INNOCENT AMERICANS KILLED IN ILLEGAL DRUG-RELATED INCIDENTS, which was temporarily displaced, is before the Body.

Representative Neely offers Amendment No. 1 which is adopted by electronic vote (107-1).

The resolution, as amended, passes its third reading, by electronic vote (105-1), and is ordered engrossed and sent to the Senate.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 651, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO REGULATE NOISE IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS TERRITORIAL JURISDICTION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for April 12. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative Wood, Chair for the Standing Committee on Education, refers:

H.B. 739, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE TRANSFER OF CREDIT BETWEEN NORTH CAROLINA INSTITUTIONS OF HIGHER EDUCATION, to the Permanent Subcommittee on Community Colleges and Universities.

H.B. 241, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT NONCERTIFICATED PUBLIC SCHOOL EMPLOYEES BE HIRED ON A CONTINUING CONTRACT, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Decker and without objection, **H.B. 342,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ROCKINGHAM TO MAKE SATELLITE ANNEXATIONS OF LESS THAN AN ENTIRE SUBDIVISION WHEN THE PROPERTY IS DEVELOPED FOR COMMERCIAL OR INDUSTRIAL USE, is withdrawn from the Calendar and re-referred to the Committee on Finance.

RE-REFERRALS

On motion of Representative Shubert and without objection, **H.B. 733,**

A BILL TO BE ENTITLED AN ACT TO ALLOW LAW-ENFORCEMENT OFFICERS TO TAKE PHYSICAL CUSTODY OF JUVENILES SIXTEEN AND SEVENTEEN YEARS OF AGE WHO ARE BEYOND THE DISCIPLINARY CONTROL OF THEIR PARENTS AND ABSENT FROM HOME, is withdrawn from the Committee on Welfare Reform and Human Resources, Subcommittee on Families and re-referred to the Committee on Welfare Reform and Human Resources.

On motion of Representative Dockham and without objection, **H.B. 287,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE HEALTH CARE REFORM RECOMMENDATIONS OF THE NORTH CAROLINA HEALTH PLANNING COMMISSION, is withdrawn from the Committee on Insurance and re-referred to the Committee on Appropriations.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Gardner withdraws her objection to the third reading of Committee Substitute for **H.B. 311,** A BILL TO BE ENTITLED AN ACT TO MAKE USE OF A COUNTERFEIT TRADEMARK A CRIME IN NORTH CAROLINA.

The bill passes its third reading, by electronic vote (105-0), and is ordered sent to the Senate.

RE-REFERRALS

On motion of Representative Wood and without objection, **H.B. 410,** A BILL TO BE ENTITLED AN ACT TO REQUIRE TEACHERS TO WORK THREE DAYS BEYOND THE REGULAR CALENDAR YEAR TO PARTICIPATE IN STAFF DEVELOPMENT ACTIVITIES, is withdrawn from the Committee on Education and re-referred to the Committee on Appropriations, Subcommittee on Education.

On motion of Representative Wood and without objection, **H.B. 783,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF CERTAIN PERMITS ON SCHOOL PROPERTY, is withdrawn from the Committee on Education and re-referred to the Committee on Judiciary I.

NOTICE TO RECALL BILLS

Representative Fitch announces his intent, pursuant to Rule 39, to petition

and recall **H.B. 397,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES TAX ON FOOD, from the Committee on Finance.

Representative Luebke announces his intent, pursuant to Rule 39, to petition and recall **H.B. 404,** A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD FROM FOUR PERCENT TO THREE PERCENT, from the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Davis, the House adjourns at 3:53 p.m. to reconvene April 12 at 3:00 p.m.

FORTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 12, 1995

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Father, seems like there's extra pressure this week. A ton of bills coming through, computers almost smoking, copy machines overheating, these poor ladies haven't had time to blink. Committee meetings never end and besides that my tax is due. It was heating up for You too, this week 'most two thousand years ago. You had a job to do. Passover, a lamb, bitter herbs, flat bread and wine. My body, My blood, broken shed for you. Disciples sleeping. Sweat like blood. Pain like forty thousand red hot pokers, and You didn't have to but You did. This do in remembrance of Me. Father, forgive us. Help us Lord to see this through to make good law, not just for ourselves, but like You for others too. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 11 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (97-0).

Leaves of absence are granted Representatives Bowen, W. Brown, Church, Esposito, Richardson, and Snowden for today.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 265, A BILL TO BE ENTITLED AN ACT TO ADD CALDWELL COUNTY TO THE AREAS COVERED BY THE STATEWIDE FOX MANAGEMENT PLAN. (CHAPTER 32)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Nichols for the Committee on Health and Environment:

H.B. 718, A BILL TO BE ENTITLED AN ACT TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 365, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TAKING OF NONGAME FISH WITH BOW AND ARROW UNDER AUTHORITY OF OTHER HUNTING AND FISHING LICENSES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 13.

By Representative Tallent for the Committee on Financial Institutions:

S.B. 413, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONVERSION OF SAVINGS ASSOCIATIONS AND SAVINGS BANKS INTO COMMERCIAL BANKS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Fitch, Adams, Cunningham, H. Hunter, McAllister, Redwine, Womble, and Wright:

H.B. 838, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR SCHOOL-RELATED CAPITAL IMPROVEMENTS, is referred to the Committee on Finance.

By Representative Tallent:

H.B. 839, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE REGULATORY AUTHORITY OVER BANKS, CREDIT UNIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS INTO A NEW FINANCIAL INSTITUTIONS REGULATORY BOARD, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, is referred to the Committee on Financial Institutions.

By Representatives Adams, W. Brown, Cunningham, Fitch, H. Hunter, Luebke, Michaux, Oldham, Sharpe, Shaw, and Wright:

H.B. 840, A BILL TO BE ENTITLED AN ACT TO REQUIRE CANDIDATES FOR ELECTIVE OFFICE TO CERTIFY THAT THEY MEET THE QUALIFICATIONS FOR OFFICE AND TO ALLOW CHALLENGES TO CANDIDATES' QUALIFICATIONS, is referred to the Committee on Judiciary II.

By Representatives Hurley, Buchanan, Culp, McAllister, Redwine, Shaw, Sutton, Tolson, Warner, Weatherly, and Yongue:

H.B. 841, A BILL TO BE ENTITLED AN ACT TO REDUCE THE MINIMUM NUMBER OF BEDS IN THE STATE VETERANS HOME TO BE CONSTRUCTED IN FAYETTEVILLE, is referred to the Committee on State Government.

By Representative Culpepper:

H.B. 842, A BILL TO BE ENTITLED AN ACT TO REPEAL THE CURRENT STATUTES REGARDING FRAUDULENT CONVEYANCES AND TO ADOPT THE UNIFORM FRAUDULENT TRANSFER ACT IN ORDER TO MODERNIZE NORTH CAROLINA LAW AND HARMONIZE OUR LAW ON THIS SUBJECT WITH THOSE STATES THAT HAVE ADOPTED THIS UNIFORM ACT, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Judiciary II.

By Representative Warner:

H.B. 843, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A SKILLED NURSING FACILITY RESERVE A MEDICAID PATIENT'S BED FOR UP TO TEN DAYS WHEN THAT PATIENT IS HOSPITALIZED, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Barbee, Buchanan, and McMahan:

H.B. 844, A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAW, is referred to the Committee on State Government.

By Representatives Watson, Buchanan, Cummings, Fitch, and Hayes:

H.B. 845, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN AGRICULTURAL OPERATION THAT IS OPERATED IN CONTINUED VIOLATION OF APPLICABLE ENVIRONMENTAL STATE STATUTES OR RULES ADOPTED PURSUANT TO THOSE STATUTES CONSTITUTES A NUISANCE AND TO PROVIDE THAT THE OWNER AND OPERATOR OF SUCH AN AGRICULTURAL OPERATION AND THE OWNER OF ANY LIVESTOCK OR POULTRY RAISED OR PRODUCED AT SUCH OPERATION MAY BE JOINTLY AND SEVERALLY LIABLE FOR RESULTING DAMAGES, is referred to the Committee on Agriculture and, if favorable, to the Committee on Judiciary I.

By Representatives Mercer, W. Brown, Crawford, Culp, Culpepper, Eddins, Edwards, Fox, Hunt, Lee, Lemmond, McLaughlin, McMahan, Mitchell, Owens, Pate, Pulley, Ramsey, Rogers, Sharpe, Sherrill, Tallent, Thompson, Tolson, Warner, Watson, and Wilkins:

H.B. 846, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT STATE LEGISLATIVE AND CONGRESSIONAL REDISTRICTING PLANS MAY NOT DIVIDE PRECINCTS UNLESS A PLAN HAS BEEN REJECTED UNDER SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AND IF SO REJECTED, ONLY THE MINIMUM NUMBER OF PRECINCTS ARE DIVIDED IN A SUBSEQUENT PLAN AS ARE REQUIRED TO OBTAIN APPROVAL, is referred to the Committee on Judiciary II.

By Representatives Mercer and Barbee:

H.B. 847, A BILL TO BE ENTITLED AN ACT TO ESTABLISH

LICENSING OF MONUMENT CONTRACTORS, is referred to the Committee on State Government.

By Representatives McComas, McMahan, Russell, and Sexton:

H.B. 848, A BILL TO BE ENTITLED AN ACT TO REQUIRE MINORS ADMITTED TO A TWENTY-FOUR-HOUR FACILITY FOR TREATMENT OF MENTAL ILLNESS OR SUBSTANCE ABUSE TO COMPLETE A PLAN OF TREATMENT BEFORE DISCHARGE, is referred to the Committee on Welfare Reform and Human Resources.

By Representative Braswell:

H.B. 849, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF ABC PERMITS AT SPORTS CLUBS IN CERTAIN COUNTIES, is referred to the Committee on Business and Labor.

By Representatives C. Wilson, Buchanan, and Sexton:

H.J.R. 850, A JOINT RESOLUTION REQUESTING CONGRESS TO DEVOLVE THE UNEMPLOYMENT INSURANCE SYSTEM BACK TO STATE CONTROL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Pulley, Fitch, H. Hunter, and Lemmond:

H.B. 851, A BILL TO BE ENTITLED AN ACT TO CHANGE SOME PROCEDURES WITH REGARD TO SURETY BONDS, is referred to the Committee on Judiciary II.

By Representatives Bowie, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Eddins, Ellis, Fitch, Fox, Gardner, Grady, Gray, Hayes, Hensley, Hill, Holmes, Howard, Hurley, Ives, Justus, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, G. Miller, K. Miller, Mitchell, Morgan, Neely, Pate, Preston, Pulley, Rayfield, Reynolds, Richardson, Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, and Yongue:

H.B. 852, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MINIMUM HIGHWAY USE TAX, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representative Bowie:

H.B. 853, A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO VARIOUS STATUTES REGULATING THE TOWING OF MOTOR VEHICLES, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary II.

By Representatives Wilkins, Alexander, Church, R. Hunter, Hurley, Miner, Pate, and Ramsey:

H.B. 854, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PERMANENT STATUTORY STUDY COMMISSION ON FISCAL TRENDS, is referred to the Committee on Finance.

By Representative Bowen:

H.B. 855, A BILL TO BE ENTITLED AN ACT TO UPDATE AND REVISE THE LAWS AFFECTING LOCAL GOVERNMENT CONTRACTING, is referred to the Committee on Business and Labor.

By Representatives Redwine, Russell, and Thompson:

H.B. 856, A BILL TO BE ENTITLED AN ACT TO PERMIT SOME USES OF GOLF CARTS ON SOME PUBLIC HIGHWAYS, is referred to the Committee on Transportation.

By Representative Redwine:

H.B. 857, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXCEPTIONS TO THE COMPULSORY USE OF PILOTS IN THE CAPE FEAR RIVER, is referred to the Committee on Transportation.

By Representatives Miner, Daughtry, Grady, Hayes, Morgan, Nichols, and Russell:

H.B. 858, A BILL TO BE ENTITLED AN ACT TO ALLOW REGISTERED VOTERS TO CHOOSE ON PRIMARY DAY THE PARTY IN WHOSE PRIMARY THEY WILL VOTE, is referred to the Committee on

Rules, Calendar, and Operations of the House.

By Representatives Nichols and McMahan:

H.B. 859, A BILL TO BE ENTITLED AN ACT TO REVISE THE SOLID WASTE MANAGEMENT ACT OF 1989 AND RELATED STATUTES, is referred to the Committee on Health and Environment.

By Representatives Richardson and McComas (Co-Sponsors); Alexander, Arnold, Barbee, Barnes, Black, Blue, Bowie, Cansler, Cunningham, Daughtry, Easterling, Ellis, Hackney, Hayes, Hensley, H. Hunter, Hurley, Lemmond, Linney, Luebke, McAllister, McCrary, McMahan, Neely, Pate, Reynolds, Tallent, and Wilkins:

H.B. 860, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM TO LIMIT MARINE NET FISHING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Dockham and Gardner:

H.B. 861, A BILL TO BE ENTITLED AN ACT TO ENACT CERTAIN HEALTH INSURANCE REFORM MEASURES, is referred to the Committee on Insurance.

By Representatives Capps, K. Miller, Pate, and Watson:

H.B. 862, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE GRANTING OF PREFERENCES, BASED ON RACE, SEX, COLOR, OR ETHNICITY, IN PUBLIC HIRING, IN THE LETTING OF PUBLIC CONTRACTS, AND IN APPOINTMENTS TO VARIOUS AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, AND AGENCIES, is referred to the Committee on Judiciary I.

By Representatives Capps and Pate:

H.B. 863, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF PUBLIC MEMBERS OF THE NORTH CAROLINA STATE BAR, TO MAKE ATTORNEY GRIEVANCE PROCEEDINGS AND RECORDS BASED ON CHARGES OF ATTORNEY MISCONDUCT OPEN TO THE PUBLIC, TO ESTABLISH THE RIGHTS OF COMPLAINANTS, AND TO MAKE OTHER CHANGES TO THE GRIEVANCE PROCEDURES, is referred to the Committee on Judiciary I.

By Representatives Capps and Pate:

H.B. 864, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A CLASS 1 MISDEMEANOR TO SELL AN ITEM IN A VENDING MACHINE THAT IT IS ILLEGAL FOR A MINOR TO PURCHASE, is referred to the Committee on Judiciary II.

By Representative Capps:

H.B. 865, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BOARD OF LANDSCAPE ARCHITECTS TO CHARGE REASONABLE FEES FOR THE REGISTRATION EXAMINATION TO RECOVER ALL COSTS FOR PUBLISHED MATERIALS AND TO MAKE A TECHNICAL CORRECTION TO THE FEE SCHEDULE, is referred to the Committee on State Government.

By Representatives Capps and Watson:

H.B. 866, A BILL TO BE ENTITLED AN ACT TO PROVIDE A CAUSE OF ACTION TO AN OWNER WHEN THE STATE OR A LOCAL POLITICAL SUBDIVISION OF THE STATE RESTRICTS, LIMITS, OR OTHERWISE INFRINGES A RIGHT TO REAL PROPERTY THAT WOULD EXIST IN THE ABSENCE OF GOVERNMENT REGULATION AND TO PROVIDE THAT PRIOR TO THE FILING OF A ZONING PETITION THE PERSON FILING THE PETITION SHALL NOTIFY THE OWNER BY CERTIFIED MAIL, is referred to the Committee on Judiciary I.

By Representatives Capps and Davis:

H.B. 867, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF PUBLIC MEMBERS OF THE NORTH CAROLINA STATE BAR COUNCIL, is referred to the Committee on Judiciary I.

By Representatives Berry, Buchanan, and Davis:

H.B. 868, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FUND IN THE DEPARTMENT OF HUMAN RESOURCES TO PROVIDE GRANTS TO LICENSED PRIVATE CHILD-PLACING AGENCIES TO PLACE MORE HARD-TO-PLACE CHILDREN, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Berry and Easterling (Co-Sponsors); Buchanan and

Russell:

H.B. 869, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF STANDBY GUARDIANS, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Brawley, Buchanan, Hayes, and Weatherly:

H.B. 870, A BILL TO BE ENTITLED AN ACT TO REMOVE CHILD DAY CARE HOMES CARING FOR FEWER THAN FIVE CHILDREN FROM STATE DAY CARE REGULATION UNDER ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Locke, Alexander, Arnold, Black, Blue, Boyd-McIntyre, Buchanan, Crawford, Davis, Earle, Easterling, Fitch, Hill, Howard, Hunt, H. Hunter, Luebke, McCrary, McLaughlin, Michaux, Nichols, Oldham, Owens, Redwine, Rogers, Shaw, Shubert, Wainwright, Watson, Wilkins, and Yongue:

H.B. 871, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO APPOINT ASSISTANCE TEAMS TO LOW PERFORMING SCHOOLS, is referred to the Committee on Education.

By Representatives Mitchell, Buchanan, Culpepper, and Gardner:

H.J.R. 872, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUE OF GRANDPARENT VISITATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Lemmond:

H.B. 873, A BILL TO BE ENTITLED AN ACT TO LIMIT THE SUBSTANCES THAT APPLICATORS OF PESTICIDES ARE AUTHORIZED TO APPLY AND TO PROVIDE FOR THE PESTICIDE APPLICATOR'S LICENSE TO BE REVOKED, SUSPENDED, OR DENIED FOR VIOLATING THIS LIMITATION, is referred to the Committee on Health and Environment.

By Representatives Richardson and Hurley:

H.B. 874, A BILL TO BE ENTITLED AN ACT TO EXPAND THE SCOPE OF THE ENVIRONMENTAL POLICY ACT BY REQUIRING THE PREPARATION OF AN ENVIRONMENTAL IMPACT STATEMENT FOR CERTAIN PACKING AND PROCESSING FACILITIES LOCATED WITHIN ONE MILE OF CERTAIN RIVERS OF THIS STATE AND SIGNIFICANTLY AFFECTING THE WATER QUALITY OF THE RIVER, is referred to the Committee on Health and Environment.

By Representative Lemmond:

H.B. 875, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE BOARD OF COMMISSIONERS OF ANY COUNTY HAVING A COUNTY MANAGER MAY ASSUME DIRECT CONTROL OF ANY ACTIVITIES THERETOFORE CONDUCTED BY OR THROUGH ANY COMMISSION, BOARD, OR AGENCY APPOINTED BY THE COUNTY COMMISSIONERS OR ACTING UNDER AND PURSUANT TO AUTHORITY OF THE BOARD OF COUNTY COMMISSIONERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Linney, Blue, Braswell, W. Brown, Daughtry, Earle, Fitch, Hensley, H. Hunter, Michaux, and Neely:

H.B. 876, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE COMMON-LAW RULE THAT AN INSTRUMENT CONVEYING AN INTEREST IN REAL PROPERTY MUST BE UNDER SEAL, is referred to the Committee on Judiciary II.

By Representatives Cansler, Arnold, Buchanan, Capps, Cummings, Davis, Eddins, McMahan, Russell, C. Wilson, and Wood:

H.B. 877, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE END-OF-COURSE AND END-OF-GRADE TESTS AND TO DIRECT THE STATE BOARD OF EDUCATION TO RECOMMEND ALTERNATIVE METHODS OF ASSESSING STUDENT PERFORMANCE, is referred to the Committee on Education.

By Representatives Cansler, Aldridge, Buchanan, Capps, Davis, Decker, Eddins, Hayes, McComas, McMahan, Rayfield, Sexton, Watson, C. Wilson, and Wood:

H.B. 878, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARENTAL CONSENT FOR SERVICES PROVIDED AT SCHOOL-

BASED HEALTH CLINICS AND TO LIMIT THE SCOPE OF THE SERVICES PROVIDED, is referred to the Committee on Education.

By Representatives Creech and K. Miller:

H.B. 879, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S GUN LAWS BY PREEMPTING LOCAL REGULATION, is referred to the Committee on Judiciary I.

By Representative Wood:

H.B. 880, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ENVIRONMENTAL PROFESSIONALS TO PERFORM CERTAIN ENVIRONMENTAL SERVICES AND SIGN CERTAIN ENVIRONMENTAL REPORTS THAT CURRENTLY ARE PERFORMED AND SIGNED BY LICENSED ENGINEERS OR LICENSED GEOLOGISTS, is referred to the Committee on Health and Environment.

By Representatives Wood and Watson:

H.B. 881, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF TEACHER CERTIFICATION, is referred to the Committee on Education.

By Representatives Arnold, Aldridge, Baker, Crawford, Davis, Dickson, Edwards, Fitch, Howard, Locke, McCrary, Nichols, Rayfield, Robinson, Sexton, Weatherly, and Wilkins:

H.B. 882, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN PRESCRIPTION DRUG PRICING, TO PROHIBIT COST SHIFTING BY MANUFACTURERS AND SELLERS OF PHARMACEUTICAL DRUGS, AND TO PROVIDE CONSUMERS THE FREEDOM OF CHOOSING THE PHARMACY AT WHICH TO REDEEM A PRESCRIPTION DRUG BENEFIT, is referred to the Committee on Insurance.

By Representatives Arnold and Hurley:

H.J.R. 883, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY LOCAL GOVERNMENT REVENUE OPTIONS SUBJECT TO LOCAL REFERENDUM, is referred to the Committee on Rules, Calendar, and

Operations of the House.

By Representatives Hackney, Alexander, Crawford, Gardner, H. Hunter, Hurley, Neely, and Russell:

H.B. 884, A BILL TO BE ENTITLED AN ACT TO PROVIDE A CIVIL ACTION REMEDY FOR PERSONS WHO ARE SEXUALLY EXPLOITED BY THEIR PSYCHOTHERAPIST, is referred to the Committee on Judiciary I.

By Representatives Arnold and H. Hunter:

H.B. 885, A BILL TO BE ENTITLED AN ACT TO PLACE THE RESPONSIBILITY UPON POULTRY INTEGRATORS TO PROVIDE PRODUCERS OF POULTRY AND POULTRY PRODUCTS WITH INFORMATION REGARDING TECHNOLOGY AND TECHNICAL ASSISTANCE FOR AT LEAST THREE METHODS OF DISPOSING OF DEAD POULTRY THAT ARE APPROVED BY THE APPLICABLE STATE AGENCIES AND TO ASSIST THEM, is referred to the Committee on Agriculture.

By Representatives Nichols, Baker, Berry, Buchanan, Church, Davis, Edwards, McMahan, Pate, Preston, Reynolds, Russell, Sexton, and Weatherly:

H.B. 886, A BILL TO BE ENTITLED AN ACT TO DIRECT THE APPROPRIATE STATE DEPARTMENTS HOW TO EXERCISE THE STATE'S AUTHORITY UNDER THE CLEAN WATER ACT, is referred to the Committee on Health and Environment.

By Representative Capps:

H.B. 887, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A COUNTY MAY ESTABLISH A COUNTY POLICE FORCE SUBJECT TO THE APPROVAL OF THE QUALIFIED VOTERS OF THE COUNTY, is referred to the Committee on State Government.

By Representatives Barbee, Buchanan, Cansler, and Thompson:

H.B. 888, A BILL TO BE ENTITLED AN ACT TO REPEAL THE WATERSHED PROTECTION PROVISIONS OF ARTICLE 21 OF CHAPTER 143 OF THE GENERAL STATUTES AND TO MAKE CORRESPONDING AMENDMENTS TO OTHER RELATED PROVISIONS

OF CURRENT LAWS, is referred to the Committee on Health and Environment.

By Representatives Davis and Watson:

H.B. 889, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A RESIDENT OF NORTH CAROLINA MUST BE A REGISTERED VOTER TO RECEIVE STATE-SUPPORTED SCHOLARSHIPS OR OTHER STATE FINANCIAL ASSISTANCE FOR HIGHER EDUCATION, UNLESS THE RESIDENT HAS NO CITIZENSHIP RIGHTS, is referred to the Committee on State Government.

By Representative Davis:

H.B. 890, A BILL TO BE ENTITLED AN ACT TO CHANGE THE EDUCATION REQUIREMENTS FOR REGISTERED SANITARIANS AND TO REQUIRE THE DEPARTMENT OF COMMUNITY COLLEGES TO ESTABLISH A PROGRAM TO INSTRUCT INDIVIDUALS WHO SEEK TO BECOME REGISTERED SANITARIANS, is referred to the Committee on Education.

By Representative Reynolds:

H.B. 891, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE EMPLOYEES TO MAKE FAIR AND REASONABLE PERSONAL USE OF STATE TELECOMMUNICATIONS EQUIPMENT IF SUCH USE DOES NOT RESULT IN COST TO THE STATE AND DOES NOT REDUCE EMPLOYEE PERFORMANCE, is referred to the Committee on Public Employees.

By Representatives Reynolds, McMahan, Sexton, and Watson:

H.J.R. 892, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO PROPOSE AN AMENDMENT TO THE FEDERAL CONSTITUTION TO ENSURE THAT THE RIGHT OF PARENTS TO DIRECT THE UPBRINGING AND EDUCATION OF THEIR CHILDREN IS NOT INFRINGED, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Reynolds, McMahan, K. Miller, and Watson:

H.B. 893, A BILL TO BE ENTITLED AN ACT TO REVISE THE

ENVIRONMENTAL PERMIT APPEALS PROCESS BY CLARIFYING WHO IS ELIGIBLE TO INITIATE A CONTESTED CASE CONCERNING SUCH PERMITS, is referred to the Committee on Health and Environment.

By Representatives Reynolds, K. Miller, Sexton, and Watson:

H.B. 894, A BILL TO BE ENTITLED AN ACT TO TRANSFER CHINQUA-PENN PLANTATION FROM THE UNIVERSITY OF NORTH CAROLINA TO THE DEPARTMENT OF CULTURAL RESOURCES, is referred to the Committee on State Government.

By Representatives R. Hunter, Beall, W. Brown, Buchanan, Church, Crawford, Culpepper, Earle, Fitch, Fox, Hensley, Hightower, Hill, Hunt, H. Hunter, Hurley, Lee, McCombs, McCrary, McMahan, Mitchell, Owens, Ramsey, Rogers, Russell, Warner, and Wood:

H.B. 895, A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE OF FEDERAL MANDATES BY REQUIRING THE CERTIFICATION OF PROPOSED LEGISLATION AND RULES PURPORTED TO BE REQUIRED BY FEDERAL LAW, TO PROVIDE FOR REVIEW BY THE GOVERNOR OF ADMINISTRATIVE RULES THAT WOULD INCREASE OR DECREASE EXPENDITURES OR REVENUES OF UNITS OF LOCAL GOVERNMENT, TO AMEND THE LOCAL GOVERNMENT FISCAL INFORMATION ACT TO REQUIRE THE PREPARATION OF FISCAL NOTES FOR CERTAIN PROPOSED LEGISLATION, AND TO PROVIDE FOR THE COMPILATION OF THE COSTS OF FEDERAL MANDATES ON THE EXPENDITURES AND REVENUES OF LOCAL GOVERNMENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives R. Hunter, Beall, Hensley, Luebke, McCrary, and Watson:

H.B. 896, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MCSMILES PROGRAM, A MOBILE PRESCHOOL PROGRAM FOR PRESCHOOL-AGED CHILDREN AND THEIR PARENTS, is referred to the Committee on Education.

By Representatives Morgan, Buchanan, H. Hunter, McMahan, and Sexton:

H.B. 897, A BILL TO BE ENTITLED AN ACT TO APPOINT

PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

H.B. 898, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PUBLIC LAWS OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sherrill, Allred, Baker, Barbee, Bowie, Brawley, Cansler, Capps, Clary, Crawford, Culp, Cummings, Davis, Dickson, Dockham, Edwards, Fitch, Hiatt, Holmes, Hurley, Ives, Justus, Locke, McCrary, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Shubert, Tallent, Thompson, Watson, Weatherly, and G. Wilson:

H.B. 899, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DISPOSAL OF ABANDONED PROPERTY BY LANDLORDS AND TO AMEND THE LAW OF SUMMARY EJECTMENT BY REDUCING THE TIME ALLOWED FOR A DEFENDANT TO APPEAR IN COURT, BY ALLOWING A LANDLORD TO HAVE UNCLAIMED PROPERTY OF AN EJECTED TENANT PLACED AT THE NEAREST PUBLIC RIGHT-OF-WAY, AND BY REVISING THE APPLICATION OF THE RETALIATORY EVICTION DEFENSE, is referred to the Committee on Judiciary I.

By Representatives Allred, W. Brown, and Buchanan:

H.B. 900, A BILL TO BE ENTITLED AN ACT TO REQUIRE PUBLIC SCHOOL EMPLOYEES TO REFRAIN FROM INAPPROPRIATE POLITICAL ACTIVITY, is referred to the Committee on Public Employees.

By Representatives Hensley, Buchanan, H. Hunter, and Thompson:

H.B. 901, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SENIOR CENTERS, is referred to the Committee on Appropriations.

By Representatives Hensley, Buchanan, and Hunt:

H.B. 902, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PARENTS AS TEACHERS PROGRAMS, is referred to the

Committee on Appropriations.

By Representatives Sexton and Allred:

H.B. 903, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TIME LIMIT WITHIN WHICH MOTOR VEHICLE MANUFACTURERS AND DISTRIBUTORS MAY AUDIT AND CHARGEBACK DEALERS FOR WARRANTY REPAIRS, is referred to the Committee on Transportation.

By Representatives Sexton, Baker, Capps, Carpenter, Cocklereece, Culp, Davis, Eddins, McMahan, Pate, Pulley, Rayfield, Sharpe, Sherrill, Weatherly, C. Wilson, and G. Wilson:

H.B. 904, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE UNIFORM COMMERCIAL CODE DIVISION, THE CORPORATIONS DIVISION, THE SECURITIES DIVISION, THE PUBLICATIONS DIVISION, THE BUSINESS LICENSE INFORMATION OFFICE, THE TRADEMARK REGISTRATION FUNCTION, AND ALL OTHER DUTIES OTHER THAN THOSE RELATING TO KEEPING OF THE STATUTE BOOKS AND OTHER MINISTERIAL DUTIES PRESCRIBED BY LAW OF THE DEPARTMENT OF SECRETARY OF STATE TO THE DEPARTMENT OF COMMERCE, AND TO DIRECT THE SECRETARY OF STATE TO ELIMINATE FIFTY PERCENT OF POSITIONS NOT SO TRANSFERRED, is referred to the Committee on State Government.

By Representatives McCombs and Gardner:

H.B. 905, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDITIONAL CIVIL REMEDY BY DEMAND LETTER FOR RETURNED CHECKS, is referred to the Committee on Judiciary I.

By Representatives Eddins (by request); Aldridge, Capps, Carpenter, Hurley, McMahan, K. Miller, Pate, Sexton, and Watson:

H.B. 906, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT EDUCATIONAL MATERIALS THAT ARE EDUCATIONALLY UNSUITABLE, PERVASIVELY VULGAR, OR INAPPROPRIATE TO THE AGE, MATURITY, OR GRADE LEVEL OF THE STUDENTS ARE REMOVED FROM THE PUBLIC SCHOOLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Eddins, Aldridge, Capps, McMahan, and Pate:

H.B. 907, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE AND ITS POLITICAL SUBDIVISIONS TO BE SUBJECT TO STATUTES OF LIMITATION AND REPOSE FOR CERTAIN CIVIL ACTIONS AND TO PROVIDE A TEN-YEAR STATUTE OF LIMITATION FOR THOSE SAME ACTIONS BROUGHT BY THE STATE OR A POLITICAL SUBDIVISION OF THE STATE WHEN THE FUNCTION AT ISSUE IS GOVERNMENTAL, is referred to the Committee on Judiciary I.

By Representatives Eddins, Aldridge, Capps, McMahan, and Watson:

H.B. 908, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE INSTRUCTION IN CHARACTER EDUCATION, is referred to the Committee on Education.

By Representatives Justus and Thompson:

H.B. 909, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COURT TO ORDER CERTAIN DEFENDANTS TO POST A PROBATION BOND AS A CONDITION OF PROBATION, is referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

By Representatives McAllister, H. Hunter, and Russell:

H.B. 910, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHEN THEY ARE BICYCLE OPERATORS OR PASSENGERS, is referred to the Committee on Business and Labor.

By Representatives Miner, Brawley, Daughtry, McComas, Morgan, Russell, Shubert, and Wood:

H.B. 911, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE TAX CHECK-OFF FOR POLITICAL PARTIES AND THE PUBLIC FINANCING OF CANDIDATES, is referred to the Committee on Finance.

By Representatives Redwine and H. Hunter:

H.B. 912, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 11 OF CHAPTER 130A OF THE GENERAL STATUTES REGARDING WASTEWATER SYSTEMS, is referred to the Committee on Health and Environment.

By Representatives W. Brown, Adams, Alexander, Allred, Beall, Blue, Bowen, Bowie, Boyd-McIntyre, J. Brown, Buchanan, Cansler, Clary, Cocklereece, Crawford, Davis, Dickson, Earle, Hightower, Hill, Hunt, R. Hunter, Hurley, Kiser, Lee, Lemmond, Locke, McAllister, McLaughlin, McMahan, Mercer, Nye, Oldham, Owens, Pate, Pulley, Ramsey, Rayfield, Robinson, Rogers, Sharpe, Shaw, Warner, Watson, C. Wilson, G. Wilson, Wright, and Yongue:

H.B. 913, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRELITIGATION MEDIATION OF FARM DISPUTES REGARDING NUISANCE CLAIMS, is referred to the Committee on Agriculture.

By Representatives Dockham, McMahan, and Watson:

H.B. 914, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TERMS AND CONDITIONS OF OFFICE OF MEMBERS OF THE BOARDS OF TRUSTEES OF COMMUNITY COLLEGES, is referred to the Committee on Education.

By Representatives Dockham and McMahan:

H.B. 915, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE EMPLOYERS TO INSURE THE EMPLOYERS' LIABILITY UNDER THE WORKERS' COMPENSATION ACT THROUGH A SUBSTITUTE SYSTEM OF COMPENSATION AND INSURANCE THAT PROVIDES BENEFITS FOR INJURED EMPLOYEES THAT ARE AT LEAST EQUAL TO THOSE THAT ARE PROVIDED UNDER A STANDARD WORKERS' COMPENSATION POLICY, is referred to the Committee on Insurance.

By Representative Sexton:

H.B. 916, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO DEVELOP A HANDICAPPED REGISTRATION PLATE AND STICKER FOR MOTORCYCLES, is referred to the Committee on Transportation.

By Representatives Decker, Aldridge, Barbee, Bowie, Brawley, J. Brown, Cansler, Capps, Cocklereece, Davis, Eddins, Hiatt, Justus, Kiser, Linney, McMahan, K. Miller, Nichols, Pate, Rayfield, Sharpe, and Weatherly:

H.B. 917, A BILL TO BE ENTITLED AN ACT TO ENACT THE LITERACY RESTORATION ACT OF 1995, is referred to the Committee on

Education.

By Representatives Daughtry and McComas:

H.B. 918, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CITY SHALL NOT EXTEND ITS TERRITORIAL JURISDICTION ACROSS COUNTY BOUNDARIES WITHOUT THE PRIOR APPROVAL OF THE BOARD OR BOARDS OF COUNTY COMMISSIONERS WITH JURISDICTION OVER THE AREA, is referred to the Committee on Judiciary I.

By Representative Daughtry:

H.B. 919, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S GUN LAWS, is referred to the Committee on Judiciary I.

By Representatives Cansler, Buchanan, Rayfield, and Watson:

H.B. 920, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PROCEDURE FOR ELECTING THE CHAIRMAN AND OTHER OFFICERS OF THE STATE BOARD OF COMMUNITY COLLEGES, is referred to the Committee on Education, Subcommittee on Community Colleges and Universities.

By Representatives Cansler, Baker, Brawley, J. Brown, Buchanan, Hayes, Kiser, Linney, Rayfield, Sherrill, and Thompson:

H.B. 921, A BILL TO BE ENTITLED AN ACT TO REPEAL THE WATERSHED PROTECTION ACT AND TO MAKE CONFORMING STATUTORY CHANGES, is referred to the Committee on Health and Environment.

By Representatives Cansler, McComas, and Pate:

H.B. 922, A BILL TO BE ENTITLED AN ACT TO REFORM THE ELECTION LAWS, is referred to the Committee on Judiciary II.

By Representative Blue:

H.B. 923, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CITIES MAY ALLOW PAWNBROKERS ONLY WITH A SPECIAL USE PERMIT, is referred to the Committee on Business and Labor.

By Representatives Arnold, Black, Fitch, Gray, McComas, and Wilkins:

H.B. 924, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO IMPROVE THE SANITATION PROGRAM FOR FOOD AND LODGING ESTABLISHMENTS, TO AMEND THE INSPECTION AND GRADING REQUIREMENTS, AND TO INCREASE THE MEMBERSHIP OF THE COMMISSION FOR HEALTH SERVICES, is referred to the Committee on Appropriations.

By Representatives Russell, Alexander, Beall, Buchanan, Cansler, Capps, Church, Culp, Culpepper, Cummings, Edwards, Ellis, Fitch, R. Hunter, Hurley, McCrary, Oldham, Pate, Pulley, Rayfield, Rogers, Sexton, Sherrill, and Thompson:

H.B. 925, A BILL TO BE ENTITLED AN ACT ESTABLISHING ANNUAL SALARY INCREASES FOR ELIGIBLE STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT THROUGH FULL IMPLEMENTATION OF THE COMPREHENSIVE COMPENSATION SYSTEM AND PROVIDING FOR THE APPROPRIATION OF FUNDS FOR IMPLEMENTATION OF THE SYSTEM FOR THE 1995-96 FISCAL YEAR AND ANNUALLY THEREAFTER, is referred to the Committee on Appropriations.

By Representative Russell (by request):

H.B. 926, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGISTRATION OF ESTHETICIANS AND ESTHETICIAN APPRENTICES BY THE STATE BOARD OF COSMETIC ART EXAMINERS, is referred to the Committee on State Government.

By Representatives Russell, Allred, Cansler, Capps, Clary, Cocklereece, Cummings, Davis, Edwards, Kiser, McMahan, Preston, Rayfield, Sharpe, Shubert, and Snowden:

H.B. 927, A BILL TO BE ENTITLED AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS, is referred to the Committee on Education.

By Representatives Russell, Aldridge, Culp, Ellis, McMahan, Pate, Rayfield, Sexton, Sherrill, and Thompson:

H.B. 928, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO PROVIDE FOR THE NONPOLITICAL SELECTION OF THE MOST QUALIFIED PERSONS FOR STATE GOVERNMENT EMPLOYMENT BY LIMITING POLITICAL HIRINGS, is referred to the Committee on State Government.

By Representatives Lee and Allred (Co-Sponsors); H. Hunter, R. Hunter, Nichols, Russell, and Wood:

H.B. 929, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN ADDITION TO PENALTIES IMPOSED UNDER STRUCTURED SENTENCING FOR LITTERING, A PERSON CONVICTED OF A LITTERING OFFENSE SHALL ALSO BE REQUIRED TO PICK UP LITTER OR PERFORM OTHER LABOR COMMENSURATE WITH THE OFFENSE COMMITTED, is referred to the Committee on Business and Labor.

By Representatives Allred, Buchanan, Cansler, Davis, Nichols, Reynolds, Russell, and Sexton:

H.B. 930, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE LABORATORY OF PUBLIC HEALTH TO PROVIDE SERVICES TO TEST DRINKING WATER SAMPLES, TO ESTABLISH A FEE SCHEDULE FOR THE STATE WATER TESTING SERVICES, AND TO PROVIDE THAT NO STATE RULE REGULATING DRINKING WATER STANDARDS AND TESTING MAY BE MORE RESTRICTIVE THAN THE FEDERAL LAW, is referred to the Committee on Health and Environment.

By Representatives Allred, Davis, Reynolds, Sexton, and Sharpe:

H.B. 931, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MORE ACCURATE METHOD OF MEASURING AVOIDED COST OF ENERGY TO A UTILITY IN DETERMINING THE RATES PAID BY UTILITIES TO SMALL POWER PRODUCERS, is referred to the Committee on Public Utilities.

By Representatives Allred, Clary, Davis, Reynolds, and Sexton:

H.B. 932, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE AUTHORIZATION OF WEATHER NORMALIZATION CHARGES, is referred to the Committee on Public Utilities.

By Representative Allred:

H.B. 933, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAIR AND EQUITABLE LIQUIDATIONS OF MUTUAL ASSOCIATIONS AND SAVINGS BANKS, is referred to the Committee on Business and Labor, Subcommittee on Economic Expansion and Growth and, if favorable, to the Committee on Financial Institutions.

By Representative Nichols:

H.B. 934, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND RELATED LAWS, is referred to the Committee on Health and Environment and, if favorable, to the Committee on Judiciary I.

By Representatives Clary, Aldridge, Allred, Arnold, Barbee, Berry, Bowie, W. Brown, Buchanan, Cansler, Capps, Cocklereece, Creech, Culp, Davis, Eddins, Fitch, Hiatt, McAllister, McMahan, K. Miller, Nichols, Pate, Pulley, Rayfield, Reynolds, Sexton, Sharpe, Tallent, Weatherly, and G. Wilson:

H.B. 935, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES ENSURE THAT ALL EXITS IN ALL DOMICILIARY CARE FACILITIES ARE EQUIPPED WITH ALARMS, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Clary, Allred, Baker, Barbee, Bowie, W. Brown, Buchanan, Cansler, Cummings, Eddins, Fitch, Justus, Kiser, McAllister, McComas, McMahan, K. Miller, Rayfield, Reynolds, Sharpe, Shubert, and Weatherly:

H.B. 936, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL REST HOME AIDES RECEIVE TRAINING IN PERSONAL CARE OF THE ELDERLY AND DISABLED, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Ellis and Capps (Co-Sponsors):

H.B. 937, A BILL TO BE ENTITLED AN ACT TO LIMIT

APPLICATION OF MINIMUM JAIL SPACE STANDARDS TO FACILITIES OPENED WITHIN SIX MONTHS OF A CHANGE IN THOSE STANDARDS, is referred to the Committee on Judiciary II.

By Representatives Snowden, Allred, Baker, Clary, Hayes, McComas, Rayfield, and C. Wilson:

H.B. 938, A BILL TO BE ENTITLED AN ACT TO ROLL BACK THE PERMANENT SALARY INCREASE FOR MEMBERS OF THE GENERAL ASSEMBLY FOR THE 1994-95 FISCAL YEAR TO BE THE SAME AS FOR STATE EMPLOYEES GENERALLY, AND TO PROVIDE THAT TO THE EXTENT POSSIBLE, EXPENSE ALLOWANCES ARE NOT INCLUDED IN THE BASIS FOR COMPUTING LEGISLATIVE RETIREMENT, is referred to the Committee on Pensions and Retirement.

By Representatives K. Miller, Aldridge, Baker, Brawley, Capps, Clary, Davis, Decker, Hayes, Nichols, Reynolds, Russell, and Watson:

H.B. 939, A BILL TO BE ENTITLED AN ACT TO REPEAL THE BASIC EDUCATION PROGRAM AND THE OUTCOME-BASED EDUCATION PROGRAM AND REPLACE THEM WITH THE REAL EDUCATION PROGRAM, is referred to the Committee on Education.

By Representative G. Miller:

H.B. 940, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES RELATING TO CRIMINAL AND CIVIL PROCEDURE, is referred to the Committee on Judiciary I.

By Representative G. Miller:

H.B. 941, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO PUBLIC UTILITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives G. Miller and H. Hunter:

H.B. 942, A BILL TO BE ENTITLED AN ACT TO REQUIRE IDENTIFICATION OF DEAD BODIES BEFORE BURIAL, is referred to the Committee on Business and Labor.

By Representatives Baker and McMahan:

H.B. 943, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A FORMER GOVERNOR OF THE STATE WHO HAS SERVED AS A MEMBER OF THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS SHALL BE A MEMBER EMERITUS OF THE BOARD OF GOVERNORS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Braswell, Hensley, and R. Hunter:

H.B. 944, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR AN HABITUAL FELON FROM A CLASS C FELONY TO A CLASS B2 FELONY, is referred to the Committee on Judiciary II.

By Representative Braswell:

H.B. 945, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER IN WHICH AN EXECUTION DATE IS RESET FOR A PERSON WHO HAS BEEN SENTENCED TO DEATH AND WHOSE SENTENCE HAS BEEN AFFIRMED AND ANY STAY OF EXECUTION HAS EXPIRED, is referred to the Committee on Judiciary II.

By Representatives Preston, Barnes, Buchanan, Edwards, Grady, H. Hunter, McMahan, Rogers, Russell, and Warner:

H.B. 946, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO IMPLEMENT SALARY RANGES FOR SCHOOL CENTRAL OFFICE PERSONNEL, is referred to the Committee on Appropriations, Subcommittee on Education.

By Representatives Preston, Barnes, Buchanan, Edwards, Grady, H. Hunter, McMahan, Rogers, Russell, and Warner:

H.B. 947, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO IMPLEMENT SALARY SCHEDULES FOR SCHOOL CENTRAL OFFICE PERSONNEL, is referred to the Committee on Appropriations, Subcommittee on Education.

By Representatives Preston, Culpepper, Edwards, Grady, Nichols, and Owens:

H.B. 948, A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND

AQUACULTURE TO STUDY THE EFFECT OF WITHDRAWAL FROM THE ATLANTIC STATES MARINE FISHERIES COMPACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sharpe, Adams, Bowie, Boyd-McIntyre, Clary, Cocklereece, Culp, Hiatt, McMahan, K. Miller, and Reynolds:

H.B. 949, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES FOR THE CONSTRUCTION OF A JUVENILE DETENTION CENTER IN GUILFORD COUNTY, is referred to the Committee on Appropriations.

By Representatives Sharpe, Rayfield, and Sexton:

H.B. 950, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF SUPERIOR COURT JUDGES BY JUDICIAL DISTRICT, AND TO INCREASE THE NUMBER OF DISTRICT COURT DISTRICTS, SO AS TO INCREASE COMPLIANCE WITH SECTIONS 2 AND 5 OF THE VOTING RIGHTS ACT OF 1965 AND TO ENABLE SETTLEMENT OF LITIGATION, is referred to the Committee on Judiciary I.

By Representative Preston:

H.B. 951, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTICIPATION IN THE BEAVER DAMAGE CONTROL PILOT PROGRAM BY CARTERET COUNTY, is referred to the Committee on Health and Environment.

By Representatives Owens and R. Hunter:

H.B. 952, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA BRIDGE AUTHORITY, is referred to the Committee on Transportation.

By Representatives Cocklereece, Aldridge, Alexander, Buchanan, Church, Culp, Ellis, Fitch, H. Hunter, R. Hunter, McCrary, Pate, Rayfield, Russell, Sexton, and Thompson:

H.B. 953, A BILL TO BE ENTITLED AN ACT PROVIDING EARLY RETIREMENT OPTIONS TO STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT WHO ARE SEPARATED FROM

EMPLOYMENT DUE TO REDUCTIONS IN FORCE AND OTHERWISE RELATING TO THE RIGHTS AND BENEFITS OF EMPLOYEES SEPARATED FROM STATE EMPLOYMENT DUE TO REDUCTIONS IN FORCE, is referred to the Committee on Public Employees.

By Representatives Wood, McComas, Sexton, and Watson:

H.B. 954, A BILL TO BE ENTITLED AN ACT TO PERMIT PARENTS TO CHOOSE THE EDUCATIONAL SETTING THAT BEST HELPS THEIR CHILD LEARN, is referred to the Committee on Education.

By Representative Wood:

H.B. 955, A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL, is referred to the Committee on Education.

By Representatives Daughtry, Gardner, and McMahan:

H.B. 956, A BILL TO BE ENTITLED AN ACT TO PROVIDE MEDICAID MANAGED CARE IN NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Beall:

H.B. 957, A BILL TO BE ENTITLED AN ACT TO INCREASE THE BONDS THAT MUST BE POSTED BY MOTOR VEHICLE DEALERS, is referred to the Committee on Transportation.

By Representatives Wainwright and H. Hunter:

H.B. 958, A BILL TO BE ENTITLED AN ACT TO PERMIT PATIENTS TO SELECT PROFESSIONAL LICENSED COUNSELORS AS MENTAL HEALTH PROVIDERS UNDER HEALTH INSURANCE POLICIES, AND TO LIMIT THE EXEMPTION FOR LICENSURE OF COUNSELORS, is referred to the Committee on Insurance.

By Representatives Cocklereece, Aldridge, Allred, W. Brown, Davis, Linney, Rayfield, Russell, and Watson:

H.B. 959, A BILL TO BE ENTITLED AN ACT TO PROHIBIT A COMPENSATED ELECTIVE OFFICIAL FROM RECEIVING A SECOND PUBLIC PAYCHECK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Fox, Crawford, H. Hunter, Hurley, Miner, Oldham, Redwine, and Wilkins:

H.B. 960, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A BINDING REFERENDUM ON THE ESTABLISHMENT OF A NORTH CAROLINA STATE LOTTERY COMMISSION, is referred to the Committee on Finance.

By Representative Braswell:

H.B. 961, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT WHO IS CONVICTED OF A DRUG TRAFFICKING CONSPIRACY IS NOT ELIGIBLE FOR INTERMEDIATE SANCTIONS UNDER THE STRUCTURED SENTENCING ACT AND TO PROVIDE THAT A PERSON WHO SELLS, MANUFACTURES, DELIVERS, TRANSPORTS, OR POSSESSES TEN POUNDS OR MORE OF MARIJUANA IS GUILTY OF TRAFFICKING IN MARIJUANA, is referred to the Committee on Judiciary II.

By Representatives Shaw and H. Hunter:

H.B. 962, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SENTENCE OF LIFE IMPRISONMENT WITHOUT PAROLE FOR PERSONS CONVICTED OF TRAFFICKING IN ILLEGAL DRUGS, TO DECLARE THAT A HOUSE OR BUILDING IN A RESIDENTIAL AREA THAT IS THE SCENE OF ILLEGAL DRUG-RELATED ACTIVITIES IS A PUBLIC NUISANCE, TO PROVIDE THAT IT IS A CLASS 1 MISDEMEANOR FOR A PERSON TO LOITER IN A PUBLIC AREA TO ENGAGE IN ILLEGAL DRUG-RELATED ACTIVITIES, AND TO PROVIDE THAT A PERSON WHO TESTIFIES AGAINST A DEFENDANT CHARGED WITH A DRUG TRAFFICKING OFFENSE SHALL BE GRANTED IMMUNITY, is referred to the Committee on Judiciary II.

By Representatives Shaw, Adams, Blue, Boyd-McIntyre, Braswell, Cummings, Cunningham, Earle, H. Hunter, Womble, and Wright:

H.B. 963, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR

SURETY BONDS FOR SMALL BUSINESSES THAT CONTRACT WITH GOVERNMENTAL AGENCIES, is referred to the Committee on Finance.

By Representatives Arnold and Wilkins (Co-Sponsors); and Hurley:

H.B. 964, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LOCAL INFRASTRUCTURE TRUST FUND, is referred to the Committee on Finance.

By Representatives Lemmond and McMahan:

H.B. 965, A BILL TO BE ENTITLED AN ACT TO REVISE RULE 11 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE TO COMPLY WITH RULE 11 OF THE FEDERAL RULES OF CIVIL PROCEDURE IN ORDER TO PROVIDE STRICTER SANCTIONS FOR FILING UNWARRANTED OR FRIVOLOUS ACTIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gamble:

H.B. 966, A BILL TO BE ENTITLED AN ACT TO FURTHER DEFINE CONFLICTS OF INTEREST, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hiatt, McMahan, Sexton, and G. Wilson:

H.B. 967, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY TO ASSAULT A LAW ENFORCEMENT OFFICER, A FIREFIGHTER, OR AN EMERGENCY MEDICAL PROVIDER, is referred to the Committee on Judiciary II.

By Representatives Nye and McComas:

H.B. 968, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MUNICIPALITIES MAKING ANNEXATIONS MUST REIMBURSE PROPERTY OWNERS FOR IMPROVEMENTS THE PROPERTY OWNER HAS ALREADY MADE THAT WOULD OTHERWISE BE THE RESPONSIBILITY OF THE MUNICIPALITY UPON ANNEXATION, is referred to the Committee on State Government.

By Representative Cunningham:

H.B. 969, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ISSUANCE OF MIXED BEVERAGE PERMITS AND TO MAKE THOSE THAT HAVE BEEN ISSUED EXPIRE ON A DATE CERTAIN, is referred to the Committee on Business and Labor.

By Representative Hayes:

H.B. 970, A BILL TO BE ENTITLED AN ACT TO PERMIT EMPLOYERS TO CONDUCT ON-SITE DRUG TESTING UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Business and Labor.

By Representative Hayes:

H.B. 971, A BILL TO BE ENTITLED AN ACT PROTECTING STATE EMPLOYEES FROM POLITICAL PRESSURE OR COERCION BY LIMITING TO FIFTY DOLLARS THE MAXIMUM AMOUNT THAT A STATE EMPLOYEE MAY CONTRIBUTE TO THE ELECTION CAMPAIGN OF A PERSON RUNNING FOR STATE ELECTIVE OFFICE, BY LIMITING TO FIVE THE MAXIMUM NUMBER OF CANDIDATES FOR STATE ELECTIVE OFFICE TO WHICH A STATE EMPLOYEE MAY CONTRIBUTE, AND BY AMENDING THE STATE PERSONNEL ACT TO BROADEN ITS COVERAGE OF STATE EMPLOYEES WITH REGARD TO POLITICAL ACTIVITIES, is referred to the Committee on Public Employees.

By Representatives Grady, Cansler, Gardner, Hensley, McComas, McMahan, Morgan, Nichols, Preston, Pulley, Russell, Sexton, Snowden, and Watson:

H.B. 972, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES REFUNDS IN FOUR ANNUAL INSTALLMENTS, WITHOUT INTEREST, FOR INCOME TAX PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988, is referred to the Committee on Finance.

By Representative Reynolds:

H.B. 973, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO ALLOW THE DEFENDANT IN NONCAPITAL CRIMINAL CASES TO WAIVE A JURY TRIAL, is referred to the Committee on Judiciary II.

By Representative Pate:

H.B. 974, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COURT OF APPEALS SHALL HEAR APPEALS IN CRIMINAL CASES IN WHICH LIFE SENTENCES ARE IMPOSED, TO PROVIDE THAT A DIRECT APPEAL OF RIGHT TO THE SUPREME COURT EXISTS ONLY WHEN A SENTENCE OF DEATH IS IMPOSED, AND TO REPEAL THE REQUIREMENT OF A PROPORTIONALITY REVIEW ON DIRECT APPEAL, is referred to the Committee on Judiciary II.

By Representative Barbee:

H.B. 975, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PER GALLON EXCISE TAX ON DIESEL FUEL SHALL BE PAID PARTLY AT THE PUMP AND PARTLY EITHER BY MAKING AN ADDITIONAL PAYMENT WHEN A MOTOR CARRIER REPORT IS FILED OR BY PAYMENT OF AN ANNUAL REGISTRATION TAX, is referred to the Committee on Finance.

By Representatives Pulley, Black, and McMahan:

H.B. 976, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE OLYMPIC GAMES, is referred to the Committee on State Government.

By House Local and Regional Government II Committee:

H.B. 977, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO REQUIRE LIFE PRESERVERS IN ALL VESSELS, is referred to the Committee on Local and Regional Government II.

By Representatives Grady, Black, Davis, Fitch, and Gardner:

H.B. 978, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO VOTING PRECINCTS, is referred to the Committee on Judiciary II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute No. 2 for **S.B. 223,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL RECORD CHECKS OF PUBLIC SCHOOL EMPLOYEES, is read the first time and referred to the Committee on Education.

S.B. 416, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROVISION OF THE JUVENILE CODE GOVERNING THE AUTHORITY OF MEDICAL PROFESSIONALS TO CONFORM TO THE REVISED DEFINITION OF ABUSE, is read the first time and referred to the Committee on Judiciary I.

S.B. 453, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE PROSPECTIVE TEACHERS SCHOLARSHIP LOAN PROGRAM, is read the first time and referred to the Committee on Education.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 115,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPOINTMENT OF THE HALIFAX ABC BOARD AND TO PROVIDE THAT DISTRIBUTION OF REVENUE SHALL BE ACCORDING TO GENERAL STATUTE.

On motion of Representative Locke, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

H.B. 211, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO AUTHORIZE THE CITY COUNCIL TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS.

On motion of Representative Adams, the House concurs in the Senate amendment and the bill is ordered enrolled.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Culpepper and without objection, **H.B. 373,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES, is withdrawn from the Calendar and placed on the Calendar of April 19.

On motion of Representative Daughtry and without objection, Senate Committee Substitute for **H.B. 2,** A BILL TO BE ENTITLED AN ACT TO REDUCE INCOME TAXES FOR THE WORKING PEOPLE OF NORTH CAROLINA BY INCREASING THE PERSONAL EXEMPTION DEDUCTION BY FIVE HUNDRED DOLLARS AND BY ALLOWING A TAX CREDIT OF FIFTY DOLLARS PER DEPENDENT CHILD, is withdrawn from the Calendar and placed on the Calendar of April 13.

CALENDAR (continued)

H.B. 343, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW ON HUNTING WITH DOGS IN ANSON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 572, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF ELECTION OF THE LAURINBURG CITY COUNCIL, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 604, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SUNSET BEACH TO REGULATE AND CONTROL DEBRIS AND OTHER MATERIALS RESULTING FROM BOATING ACCIDENTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 632, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 651,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO REGULATE NOISE IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS TERRITORIAL JURISDICTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 400, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS TO SEEK INJUNCTIVE RELIEF.

On motion of Representative Neely and without objection, consideration of the bill is postponed until April 17.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Arnold and without objection, Committee Substitute for **H.B. 477,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE AUTHORIZATION FOR PAYROLL DEDUCTIONS FROM EMPLOYEES' SALARIES TO EMPLOYEES' ORGANIZATIONS, is withdrawn from the Calendar and placed on the Calendar of April 18.

CALENDAR (continued)

H.B. 754, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A WATER AND SEWER AUTHORITY WAS FORMED BY A COUNTY AND ONE CITY, AND THE MAJORITY OF THE CUSTOMERS OF THE AUTHORITY ARE LOCATED WITHIN A CITY THAT IS NOT A MEMBER, THAT CITY MAY JOIN THE AUTHORITY AND APPOINT MEMBERS TO ITS GOVERNING BOARD, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 152, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY FOR THE NONBETTERMENT RELOCATION OF SANITARY DISTRICT UTILITIES, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

H.B. 520, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WAYNESVILLE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for April 13. The original bill is placed on the Unfavorable Calendar.

By Representative McCombs for the Committee on Pensions and Retirement:

H.B. 442, A BILL TO BE ENTITLED AN ACT TO BRING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM INTO COMPLIANCE WITH THE INTERNAL REVENUE CODE AND TO BRING THE SUPPLEMENTAL RETIREMENT INCOME PLANS FOR STATE AND LOCAL LAW ENFORCEMENT OFFICERS INTO COMPLIANCE WITH THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

MOTION TO RECALL FROM ENROLLING

On motion of Representative Locke, Senate Committee Substitute for **H.B. 115,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPOINTMENT OF THE HALIFAX ABC BOARD AND TO PROVIDE THAT DISTRIBUTION OF REVENUE SHALL BE ACCORDING TO GENERAL STATUTE, is recalled from Enrolling.

On motion of Representative Locke, the vote by which the House concurred in the Senate committee substitute is reconsidered.

On motion of Representative Locke, the House does not concur in the

Senate committee substitute and conferees are requested.

The Speaker appoints Representatives Locke, Crawford, and Wilkins as conferees on the part of the House and the Senate is so notified by Special Message.

RE-REFERRALS

On motion of Representative Neely and without objection, the following bills are withdrawn from the Committee on Judiciary I and re-referred to the Committee on Judiciary II:

H.B. 884, A BILL TO BE ENTITLED AN ACT TO PROVIDE A CIVIL ACTION REMEDY FOR PERSONS WHO ARE SEXUALLY EXPLOITED BY THEIR PSYCHOTHERAPIST; and

H.B. 907, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE AND ITS POLITICAL SUBDIVISIONS TO BE SUBJECT TO STATUTES OF LIMITATION AND REPOSE FOR CERTAIN CIVIL ACTIONS AND TO PROVIDE A TEN-YEAR STATUTE OF LIMITATION FOR THOSE SAME ACTIONS BROUGHT BY THE STATE OR A POLITICAL SUBDIVISION OF THE STATE WHEN THE FUNCTION AT ISSUE IS GOVERNMENTAL.

On motion of Representative Morgan, seconded by Representative Eddins, the House adjourns at 3:41 p.m. to reconvene April 13 at 2:30 p.m.

FORTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 13, 1995

The House meets at 2:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Father, the week's 'most over and we are kinda anxious to be heading home. We want to be in Church Sunday with the family, it's Easter. But

tomorrow is Good Friday, never could understand that 'cause it was awful hard on You. On that cruel cross You spoke Lord, 'I thirst'. You were human. You forgave a thief, You were God. You remembered Your mother, You cared. 'My God why hast Thou forsaken me?', You felt deserted, all alone. I've felt like that sometime myself. But You stayed Lord and finished the job. You loved us. I don't understand it all but I want You to know I love You Lord, and I believe.

'I know not how that Bethlehem's Babe
could in the Godhead be.
I only know that manger child
has brought God's love to me.

I know not how a cruel cross
a world from sin could free
I only know that cruel cross
has brought new life to me.

I know not how an empty tomb
could solve death's mystery,
I only know a living Christ,
my immortality.'

Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 12 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (78-0).

Leaves of absence are granted Representatives W. Brown, Esposito, McAllister, Richardson, and Snowden for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 213,** A BILL TO BE ENTITLED AN

ACT CONCERNING THE COLLECTION OF DELINQUENT TRUCK PENALTIES AND ASSESSED TAXES AND THE CONSOLIDATION OF THE VARIOUS PROVISIONS CONCERNING OVERWEIGHT VEHICLES, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 381,** A BILL TO BE ENTITLED AN ACT TO GRANT THE TOWN OF APEX A TEMPORARY EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 593, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF BOGUE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 264, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF BETHANIA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Church, Ranking Minority Member, for the Committee on Financial Institutions:

H.B. 736, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA FINANCIAL PRIVACY ACT TO THE FEDERAL RIGHT TO FINANCIAL PRIVACY ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Having received a unanimous vote in committee, the committee substitute bill is placed on the Consent Calendar of April 18. The original bill is placed on the Unfavorable Calendar.

By Representative Wood for the Committee on Education:

H.B. 740, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE

TRANSFER OF ACADEMIC CREDIT FROM COMMUNITY COLLEGE PROGRAMS TO FOUR-YEAR COLLEGE PROGRAMS, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar of April 18.

H.B. 42, A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 860, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM TO LIMIT MARINE NET FISHING, with an unfavorable report.

By Representative McCombs for the Committee on Pensions and Retirement:

Committee Substitute for **H.B. 314,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO MOUNT AIRY'S FIREFIGHTERS' SUPPLEMENTARY FUND, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 513,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFIT FOR RETIRED CHARLOTTE FIREFIGHTERS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Miner for the Committee on Transportation:

H.B. 538, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ISSUANCE OF FREE REGISTRATION PLATES TO RECIPIENTS OF THE PURPLE HEART MEDAL, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

Committee Substitute for **S.B. 44,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF PROFESSIONAL SPORT TEAMS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 755, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE SQUARE DANCE AS THE AMERICAN FOLK DANCE OF THE STATE OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRALS

Representative Wood, Chair for the Standing Committee on Education, refers the following bills to the Permanent Subcommittee on Preschool, Elementary, and Secondary Education:

H.B. 190, A BILL TO BE ENTITLED AN ACT TO ALLOW A REFUNDABLE INCOME TAX CREDIT TO PARENTS WHO EDUCATE THEIR CHILDREN OTHER THAN IN THE PUBLIC SCHOOLS; and

H.B. 834, A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR PARENTAL REVIEW OF AND TO PLACE CERTAIN RESTRICTIONS ON ANY INSTRUCTION ON SEXUALLY TRANSMITTED DISEASES

OR OUT-OF-WEDLOCK PREGNANCY GIVEN AS PART OF A COMPREHENSIVE SCHOOL HEALTH PROGRAM; (2) TO MAKE CHANGES TO THE APPOINTMENTS TO THE STATE SCHOOL HEALTH ADVISORY COMMITTEE; (3) TO REQUIRE PUBLIC SCHOOLS TO OFFER AN ABSTINENCE UNTIL MARRIAGE PROGRAM; AND (4) TO AUTHORIZE LOCAL SCHOOL BOARDS TO OFFER COMPREHENSIVE SEX EDUCATION WHEN CERTAIN REQUIREMENTS CONCERNING REVIEW AND LOCAL APPROVAL ARE SATISFIED.

Representative Edwards, Chair for the Standing Committee on State Government, refers the following bills to the Permanent Subcommittee on State Boards and Commissions:

H.B. 814, A BILL TO BE ENTITLED AN ACT TO CREATE THE WELL CONTRACTORS AND PUMP CONTRACTORS CERTIFICATION COMMISSION; TO AMEND THE WELL DRILLERS AND PUMP INSTALLERS REGISTRATION REQUIREMENTS; AND MAKE VARIOUS AMENDMENTS TO THE WELL CONSTRUCTION ACT; and

H.B. 826, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF SOIL SCIENTISTS.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 152, AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY FOR THE NONBETTERMENT RELOCATION OF SANITARY DISTRICT UTILITIES. (CHAPTER 33)

H.B. 145, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROANOKE RAPIDS. (CHAPTER 34)

H.B. 211, AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO AUTHORIZE THE CITY COUNCIL TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS. (CHAPTER 35)

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Gardner:

H.B. 979, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A PILOT PROGRAM FOR GUARDIANSHIP OF THE ELDERLY AND OF ADULTS WITH DEVELOPMENTAL DISABILITIES, MENTAL ILLNESS, AND SUBSTANCE ABUSE PROBLEMS, is referred to the Committee on Appropriations, Subcommittee on Human Resources.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
April 12, 1995

Mr. Speaker:

Pursuant to your message received Wednesday, April 12, 1995 that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 115,** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPOINTMENT OF THE HALIFAX ABC BOARD AND TO PROVIDE THAT DISTRIBUTION OF REVENUE SHALL BE ACCORDING TO GENERAL STATUTE, and requests conferees, the President Pro Tempore appoints:

Senator Ballance, Chairman
Senator Jordan
Senator Cooper

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 384, A BILL TO BE ENTITLED AN ACT RELATING TO

PYROTECHNICS IN THE CITY OF WINSTON-SALEM, is read the first time and referred to the Committee on Local and Regional Government II.

INQUIRY OF THE CHAIR

Representative Fitch inquires of the Chair about letters he received from the Speakers Office regarding the removal of members names from a discharge petition.

The Speaker states that such letters were delivered to Representative Fitch.

In further response to Representative Fitch's inquiry, Representative Morgan states that members can withdraw their names from a discharge petition before the petition is filed with the Principal Clerk.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 520,** A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WAYNESVILLE.

Representative Redwine inquires of the Chair if a quorum call is in order. The Speaker states that a quorum is present.

Representative Beall calls the previous question on the passage of the bill and the call is sustained by electronic vote (95-0).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dickson, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston,

Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives W. Brown, Esposito, McAllister, Richardson, and Snowden - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 8, A BILL TO BE ENTITLED AN ACT TO REPEAL THE INTANGIBLES TAX AND TO REIMBURSE LOCAL GOVERNMENTS FOR THEIR RESULTING REVENUE LOSS.

Representative C. Wilson moves that Committee Amendment No. 1 not be adopted.

A division having been called, Committee Amendment No. 1 fails of adoption by electronic vote (16-93).

Representative Hackney offers Amendment No. 2.

Representative Hackney calls for the "ayes" and "noes" on the amendment and requests that the vote be spread upon the Journal. The Speaker so orders.

Representative Gray calls the previous question on the amendment and the call is sustained by electronic vote (87-24).

Amendment No. 2 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Lee, Locke, Luebke, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, Wright, and Yongue - 48.

Voting in the negative: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan,

Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 65.

Excused absences: Representatives W. Brown, Esposito, McAllister, Richardson, and Snowden - 5.

Representative Fox offers Amendment No. 3 which fails of adoption by electronic vote (48-62).

Representative Luebke offers Amendment No. 4.

Representative Luebke calls for the "ayes" and "noes" on the amendment and requests that the vote be spread upon the Journal. The Speaker so orders.

Representative Gray inquires of the Chair if the amendment is germane to the title, pursuant to Rule 31(d). The Speaker states that it is.

Representative Gray calls the previous question on the amendment and the call is sustained by electronic vote (87-16).

Amendment No. 4 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Brawley, Church, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hunt, H. Hunter, R. Hunter, Lee, Luebke, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Oldham, Ramsey, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Womble, Wright, and Yongue - 40.

Voting in the negative: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill,

Shubert, Thompson, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wood - 70.

Excused absences: Representatives W. Brown, Esposito, McAllister, Nye, Richardson, and Snowden - 6.

Representative Gray calls the previous question on the passage of the bill and the call is sustained by electronic vote (91-20).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowie, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 92.

Voting in the negative: Representatives Barnes, Blue, Bowen, Cunningham, Easterling, Fitch, Hackney, Hensley, Hightower, Hunt, H. Hunter, Lee, Luebke, Michaux, Nichols, Oldham, Shaw, Wainwright, Womble, and Wright - 20.

Excused absences: Representatives W. Brown, Esposito, McAllister, Nye, Richardson, and Snowden - 6.

S.B. 365, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TAKING OF NONGAME FISH WITH BOW AND ARROW UNDER AUTHORITY OF OTHER HUNTING AND FISHING LICENSES, passes its second reading, by electronic vote (101-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 225, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP AN EDUCATIONAL PROGRAM FOR DIVORCING COUPLES WITH CHILDREN, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

The committee substitute bill is re-referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 495, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY IN LINCOLN AND GASTON COUNTIES TO INJURE OR KILL A LAW ENFORCEMENT AGENCY ANIMAL, TO CREATE A NEW OFFENSE FOR ASSAULT WITH A FIREARM UPON A LAW ENFORCEMENT AGENCY ANIMAL, AND TO CREATE A NEW OFFENSE FOR SIMPLE ASSAULT OR SIMPLE ASSAULT AND BATTERY UPON A LAW ENFORCEMENT AGENCY ANIMAL, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 526, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMITS RELATING TO THE LETTING OF PURCHASE CONTRACTS BY THE CITY OF GREENSBORO, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance.

The original bill is placed on the Unfavorable Calendar.

H.B. 529, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE RECREATION COMMISSION OF THE TOWN OF LINCOLNTON TO CONVEY BY PRIVATE SALE CERTAIN PROPERTY TO THE CITY OF LINCOLNTON, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 533, A BILL TO BE ENTITLED AN ACT RELATING TO NOTICES OF LIS PENDENS BY THE CITY OF WINSTON-SALEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 17.

H.B. 536, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT GASTON COUNTY MAY USE THE PROCEEDS OF ITS OCCUPANCY TAX ONLY FOR ECONOMIC DEVELOPMENT AND TO PROMOTE TRAVEL AND TOURISM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 543, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE DARE COUNTY GEOGRAPHICAL INFORMATION SYSTEM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 546, A BILL TO BE ENTITLED AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT WITH RETRIEVABLE BALLOTS IN GASTON, GUILFORD, AND MECKLENBURG COUNTIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 550, A BILL TO BE ENTITLED AN ACT TO ALLOW RANDOLPH COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 553, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT REQUIRING HARNETT COUNTY'S ANIMAL CONTROL OFFICERS TO PERFORM THEIR DUTIES UNDER THE SUPERVISION AND CONTROL OF THE HARNETT COUNTY HEALTH DIRECTOR, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 17.

H.B. 558, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF CATAWBA TO ANNEX AREAS LYING WITHIN THE CORPORATE BOUNDARIES OF THAT TOWN, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 574, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF LAND HARBOR, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

Committee Substitute for **H.B. 575,** A BILL TO BE ENTITLED AN ACT TO REMOVE THE TOWN OF KERNERSVILLE'S LOCAL MODIFICATIONS TO G.S. 58-84-35, FORMERLY G.S. 118-7, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 583, A BILL TO BE ENTITLED AN ACT RELATING TO THE ALAMANCE COUNTY PUBLIC LAW LIBRARY, with a favorable report

as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 595, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE NONPARTISAN ELECTION OF THE CRAVEN COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 17.

S.B. 232, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE ONSLOW COUNTY BOARD OF ALCOHOL CONTROL TO SERVE THREE CONSECUTIVE TERMS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

REPORT OF SELECT COMMITTEE ON TORT REFORM

TO: The Honorable Harold J. Brubaker, Speaker
House of Representatives

FROM: Representative N. Leo Daughtry, Chairman
Select Committee on Tort Reform

RE: REPORT OF THE SELECT COMMITTEE ON TORT REFORM
HOUSE BILL 729

MEMBERS:
Representative N. Leo Daughtry, Chairman
Representative Bill Culpepper
Representative Michael Decker
Representative Dewey L. Hill
Representative Larry T. Justus
Representative Larry Linney
Representative George W. Miller, Jr.
Representative David Miner
Representative Richard T. Morgan
Representative Charles B. Neely, Jr.

Representative Billy Richardson
Representative Fern H. Shubert

As chairman of the Select Committee on Tort Reform and on behalf of the membership of the Select Committee, I report that the Committee met in session on April 12, 1995. We have reviewed and considered the contents of Bill 729 assigned to our Committee and are ready to make the following recommendation:

HOUSE BILL 729 A BILL TO BE ENTITLED AN ACT TO ESTABLISH STANDARDS AND PROCEDURES FOR THE RECOVERY OF PUNITIVE DAMAGES IN CIVIL ACTIONS. With a favorable recommendation as to the proposed committee substitute bill, unfavorable as to the original bill.

S/ Representative N. Leo Daughtry

Without objection, the Chair forwards the report and the bill to the Committee on Rules, Calendar, and Operations of the House.

MOTION TO WITHDRAW BILLS FROM COMMITTEE

Representative Gray moves that the following bills be withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 112, A BILL TO BE ENTITLED AN ACT TO REPEAL THE STATE SALES TAX ON FOOD;

H.B. 397, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES TAX ON FOOD; and

H.B. 404, A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD FROM FOUR PERCENT TO THREE PERCENT.

Representative Fitch inquires of the Chair if Rule 39.2 requires the consent of the sponsor of the bill, the chair of the standing committee from whom the bill is to be re-referred and the chair of the standing committee to whom the bill is to be re-referred. He states that he is the sponsor of **H.B. 397** and he does not consent to the motion.

The Speaker rules the motion out of order.

On motion of Representative Morgan, seconded by Representative Womble, the House adjourns at 4:50 p.m. to reconvene Monday, April 17, 1995, at 7:00 p.m.

FORTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 17, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our loving Heavenly Father, what a glorious weekend we have had celebrating the gladdest event in all the year. From St. Peter's Square to Fifth Avenue. From Murphy to Manteo, we celebrated Your resurrection. Father, You took our worst and gave us back Your best. Now all of us can be made beautiful in Your sight, and that truly takes a miracle. Now, here we are back in Raleigh, ready to take the raw material of law, heat it up in committee and debate, then hammer it into shape on the anvil of legislation. Bless and guide our Speaker this week, be with our Clerk and her colleagues, help our Sergeant-at-Arms and his staff and all House officers as they fulfill their roles. Then bless all our colleagues who are ill and restore them to health real soon. And we thank You for all this through Christ our Lord. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 13 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-2).

Leaves of absence are granted Representatives Fox, R. Hunter, Snowden, Sutton, Wood, and Wright for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office

of the Secretary of State:

S.B. 365, AN ACT TO PROVIDE FOR THE TAKING OF NONGAME FISH WITH BOW AND ARROW UNDER AUTHORITY OF OTHER HUNTING AND FISHING LICENSES. (CHAPTER 36)

H.B. 345, AN ACT TO AUTHORIZE THE TOWN OF YAUPON BEACH TO CREATE A SEA TURTLE SANCTUARY. (CHAPTER 37)

H.B. 372, AN ACT TO PROVIDE THAT THE MADISON COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE IN JULY OF THE YEAR OF THEIR ELECTION. (CHAPTER 38)

H.B. 374, AN ACT TO AMEND THE EXTENSION OF BEAR HUNTING SEASON IN PASQUOTANK AND CAMDEN COUNTIES AND TO INCLUDE CHOWAN COUNTY IN THAT EXTENSION OF THE SEASON. (CHAPTER 39)

H.B. 401, AN ACT TO RETAIN CERTIFIED LAW ENFORCEMENT OFFICERS FOR THE STATE MUSEUM OF ART. (CHAPTER 40)

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Edwards for the Committee on State Government:

H.B. 750, A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF STATE TRUCKS AND VANS FOR THE STATE GAMES OF NORTH CAROLINA, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for April 18. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Gamble and Luebke:

H.J.R. 980, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATING TO THE ETHICS OF LEGISLATORS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Culpepper and K. Miller:

H.J.R. 981, A JOINT RESOLUTION HONORING THE MEMORY OF UNDERAGE MILITARY VETERANS WHO DIED SERVING THEIR COUNTRY AND COMMENDING THE VETERANS OF UNDERAGE MILITARY SERVICE, INC., is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hunt, Blue, Easterling, Luebke, Ramsey, Rogers, Wright, and Yongue:

H.B. 982, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FIVE HUNDRED MILLION DOLLARS FOR GRANTS TO LOCAL SCHOOL ADMINISTRATIVE UNITS FOR PUBLIC SCHOOL BUILDING CAPITAL PROJECTS, is referred to the Committee on Appropriations, Subcommittee on Education.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 342,** A BILL TO BE ENTITLED AN ACT TO IMPROVE INSURANCE COMPANY FINANCIAL MATTERS BY ADOPTING STANDARDS FOR ASSUMPTION REINSURANCE, MATERIAL TRANSACTIONS, AND PROPERTY AND CASUALTY INSURER CAPITAL, is read the first time and referred to the Committee on Insurance.

S.B. 412, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW CONCERNING THE FEDERAL PREEMPTION OF STATE USURY LAWS, is read the first time and referred to the Committee on Financial Institutions.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 2,** A BILL TO BE ENTITLED AN ACT TO REDUCE INCOME TAXES FOR THE WORKING PEOPLE OF NORTH CAROLINA BY INCREASING THE PERSONAL EXEMPTION DEDUCTION BY FIVE HUNDRED DOLLARS AND BY ALLOWING A TAX CREDIT OF FIFTY DOLLARS PER DEPENDENT CHILD.

On motion of Representative Daughtry, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (108-1), and the bill is ordered enrolled.

Committee Substitute for **H.B. 520,** A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WAYNESVILLE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Fox, R. Hunter, Snowden, Sutton, Wood, and Wright - 6.

Representative Fox requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (111-0).

H.B. 593, A BILL TO BE ENTITLED AN ACT TO INCORPORATE

THE TOWN OF BOGUE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives R. Hunter, Snowden, Sutton, Wood, and Wright - 5.

H.B. 533, A BILL TO BE ENTITLED AN ACT RELATING TO NOTICES OF LIS PENDENS BY THE CITY OF WINSTON-SALEM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 553, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT REQUIRING HARNETT COUNTY'S ANIMAL CONTROL OFFICERS TO PERFORM THEIR DUTIES UNDER THE SUPERVISION AND CONTROL OF THE HARNETT COUNTY HEALTH DIRECTOR, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 595, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE NONPARTISAN ELECTION OF THE CRAVEN COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 8, A BILL TO BE ENTITLED AN ACT TO REPEAL THE INTANGIBLES TAX AND TO REIMBURSE LOCAL GOVERNMENTS FOR THEIR RESULTING REVENUE LOSS.

Representative Barnes offers Amendment No. 5.

Representative Cunningham calls for the "ayes" and "noes" and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 5 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, Brawley, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Tolson, Wainwright, Warner, Wilkins, Womble, and Yongue - 50.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Watson, Weatherly, C. Wilson, and G. Wilson - 64.

Excused absences: Representatives R. Hunter, Snowden, Sutton, Wood, and Wright - 5.

Representative Luebke offers Amendment No. 6.

Representative Gray calls the previous question on the amendment and the call is sustained by electronic vote (102-6).

Amendment No. 6 fails of adoption by electronic vote (22-89).

Representative Gray calls the previous question on the passage of the bill and the call is sustained by electronic vote (101-13).

The bill passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Yongue - 99.

Voting in the negative: Representatives Barnes, Blue, Braswell, Cunningham, Earle, Easterling, Fitch, Hackney, Hensley, Hightower, Hunt, H. Hunter, Luebke, Michaux, Oldham, and Womble - 16.

Excused absences: Representatives R. Hunter, Snowden, Sutton, Wood, and Wright - 5.

H.B. 400, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS TO SEEK INJUNCTIVE RELIEF, passes its third reading, by electronic vote (110-1), and is ordered sent to the Senate.

INTRODUCTION OF PAGES

Pages for the week of April 17-20 are introduced to the membership. They are: Jennifer Barber of Brunswick; Adam Bentley of Durham; Mark Cody of Haywood; Elizabeth Crowell of Rowan; LaVor Farrior of Duplin; Brian Harrington of Robeson; Amy Henke of Wake; Rashad Israel of Wayne; Katie Leffler of Wake; Meredith Macy of Forsyth; Peter Maniloff of Orange; John Misenheimer, Jr. of Rowan; Tommy Person of Wayne; Robert Earl Randolph, Jr. of Edgecombe; Kevin Reese of Chatham; Kim Rorrer of Rockingham; Beth Sasso of Forsyth; Chrystal Spann of Chatham; Chris Sparks

of Surry; Will Tattersall of Moore; Kris Walton of Chatham; and Jason Wellington of Craven.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 812, A BILL TO BE ENTITLED AN ACT TO REENACT, WITH MODIFICATIONS, CERTAIN MISDEMEANORS RELATING TO FIRES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 18.

On motion of Representative Morgan, seconded by Representative Kiser, the House adjourns at 8:02 p.m. to reconvene April 18 at 1:30 p.m.

FORTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 18, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, thank You for the gift of life today, and for the men and women who make up this Body. They are capable, able and focused on serving the people of their districts. I've been thinking some, Father, about a recipe for making a Representative. I think that I would give him the wisdom of Solomon, the patience of Job, the strength of Sampson, and the hide of an alligator. Mix in equal proportions the courage of a lion and the gentleness of a lamb. Anoint him with the insight and perception of a Daniel. Put in just a pinch of peacock to make him strut a little. Then I would bust up his heart a time or two just to give him feeling and compassion. After that I

would get him elected and send him to Raleigh, and give him a job so hard that nobody could do it without Your help to teach him faith. Then I would sit back, pray for him and watch him work. Seems like that's what I'm doing Father, so bless their working and help me with my praying. Through Christ our Lord. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 17 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (95-1).

Leaves of absence are granted Representatives Mercer and Snowden for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 8, AN ACT TO REPEAL THE INTANGIBLES TAX AND TO REIMBURSE LOCAL GOVERNMENTS FOR THEIR RESULTING REVENUE LOSS. (CHAPTER 41)

H.B. 2, AN ACT TO REDUCE INCOME TAXES FOR THE LOWER AND MIDDLE-INCOME PEOPLE OF NORTH CAROLINA BY INCREASING THE PERSONAL EXEMPTION DEDUCTION BY FIVE HUNDRED DOLLARS AND BY ALLOWING A TAX CREDIT OF SIXTY DOLLARS PER DEPENDENT CHILD. (CHAPTER 42)

H.B. 103, AN ACT TO STRENGTHEN THE INSURANCE FRAUD LAW. (CHAPTER 43)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 357, A BILL TO BE ENTITLED AN ACT TO REPEAL PROVISIONS OF THE GENERAL STATUTES AUTHORIZING THE

DEPARTMENT OF CORRECTION TO INSPECT MINES IN WHICH CONVICTS ARE EMPLOYED AND REQUIRING THE DEPARTMENT TO ESTABLISH A REVOLVING FUND FOR LOANS TO PRISONERS, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar of April 20.

By Representative J. Brown for the Committee on Agriculture:

Committee Substitute for **S.B. 146,** A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA SEED LAW, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 19.

H.B. 116, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CIVIL PENALTIES FOR VIOLATIONS OF THE GASOLINE AND OIL INSPECTION LAW, THE MEAT INSPECTION LAW, AND THE ANIMAL WELFARE AND ANIMAL HEALTH LAWS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary I.

The committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 90, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO MEETS SPECIFIED STATUTORY CRITERIA MAY CARRY A CONCEALED HANDGUN IF THE PERSON HAS OBTAINED A CONCEALED HANDGUN PERMIT, TO AUTHORIZE SHERIFFS TO ISSUE CONCEALED HANDGUN PERMITS, TO ESTABLISH THE CRITERIA THAT MUST BE SATISFIED TO RECEIVE THE PERMIT, TO ESTABLISH THE PROCEDURE FOR THE ISSUANCE OF A CONCEALED HANDGUN PERMIT, AND TO MAKE CONFORMING STATUTORY CHANGES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 762, A BILL TO BE ENTITLED AN ACT TO REMOVE THE

REQUIREMENT THAT DEPOSITIONS RECORDED BY SOUND-AND-VISUAL MEANS MUST BE TRANSCRIBED AND TO PROVIDE THAT, INSTEAD OF A TRANSCRIPTION, THE RECORDING MAY BE REVIEWED BY THE DEPONENT AND MAY BE USED AS THE COURT'S COPY OF THE DEPOSITION, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 19.

H.B. 766, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE UNIFORM THE LAWS REGARDING THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OLD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 19.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 471, A BILL TO BE ENTITLED AN ACT TO REPEAL LOCAL ACTS APPLICABLE TO THE CITY OF CHARLOTTE OR TO BOTH THE CITY OF CHARLOTTE AND THE COUNTY OF MECKLENBURG, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 19.

H.B. 666, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR THE CHEROKEE COUNTY SCHOOLS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 19.

H.B. 668, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE ALAMANCE COUNTY BOARD OF EDUCATION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 19.

By Representatives Preston and Grady for the Permanent Subcommittee on Education:

H.B. 315, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF COMMUNITY COLLEGE BONDS OR NOTES AND TO APPROPRIATE THE PROCEEDS OF THESE BONDS AND NOTES FOR COMMUNITY COLLEGE CAPITAL PROJECTS, reported to the Standing Committee on Appropriations, with an unfavorable recommendation.

By Representatives Gardner and Hayes for the Permanent Subcommittee on Human Resources of the Standing Committee on Appropriations with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 24,** A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF FOOD STAMPS TO PARTICIPATE IN WORKFARE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 19.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative H. Hunter:

H.B. 983, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE HOUSING FINANCE AGENCY TO PROVIDE THE STATE MATCHING FUNDS FOR THE FEDERAL HOME PROGRAM, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 38,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CAMPAIGN-REPORTING LAWS TO ADD A REPORT AROUND LABOR DAY FOR CERTAIN CANDIDATES AND TO ELIMINATE THE EXTRA CONTRIBUTION LIMIT PERIOD FOR THE SECOND PRIMARY FOR CANDIDATES WHO ARE NOT ON THE BALLOT IN THE SECOND PRIMARY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 427, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE MOMEYER TOWN COUNCIL, is read the

first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 488, A BILL TO BE ENTITLED AN ACT TO ALLOW THE BUSINESS INFORMATION OFFICE TO ASSIST THE PUBLIC WITH CERTAIN LICENSING PROCEDURES OF THE DEPARTMENT OF MOTOR VEHICLES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 496, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL GOVERNMENTS TO FORGO COLLECTION OF AD VALOREM TAX BILLS WHEN THE ORIGINAL PRINCIPAL AMOUNT DUE IS UNDER FIVE DOLLARS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 535, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE APPOINTIVE OFFICE OF TAX COLLECTOR FOR BUNCOMBE COUNTY AND THE CITY OF ASHEVILLE UPON THE EXPIRATION OF THE TERM OF THE PRESENT ELECTED TAX COLLECTOR AND TO AUTHORIZE THE JOINT OR SEPARATE APPOINTMENT OF A TAX COLLECTOR FOR THE COUNTY AND CITY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.J.R. 538, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO CONSIDER ACTION ON THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 540, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTION OF ALL THE MEMBERS OF THE ROCKINGHAM CITY COUNCIL FOR FOUR-YEAR TERMS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 568, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DAVIE COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE ON THE FIRST MONDAY IN JULY FOLLOWING THEIR ELECTION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 575, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE LEGISLATIVE ETHICS COMMITTEE, TO

DESIGNATE COMMITTEE COCHAIRS FROM EACH LEGISLATIVE CHAMBER, AND TO MAKE CONFORMING CHANGES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 579, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CLEVELAND COUNTY BOARD OF EDUCATION TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

H.B. 593, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF BOGUE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Hunt, H. Hunter, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Mercer and Snowden - 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 381,** A BILL TO BE ENTITLED AN ACT TO GRANT THE TOWN OF APEX A TEMPORARY EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS

TERRITORY THAT MAY BE ANNEXED.

Representative Brawley offers Amendment No. 1 which is adopted by electronic vote (107-0). This amendment changes the title.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 107.

Voting in the negative: Representatives Berry and Creech - 2.

Excused absences: Representatives Mercer and Snowden - 2.

MOTION TO RECALL BILL FROM COMMITTEE

Representative Fitch moves, pursuant to Rule 39(a), that **H.B. 397,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES TAX ON FOOD, be recalled from the Committee on Finance and placed on the Calendar for immediate consideration.

Representative Fitch calls for the "ayes" and "noes" and requests that the vote be spread upon the Journal. The Speaker so orders.

Representative Daughtry moves, seconded by Representative Nichols, that Representative Fitch's motion do lie upon the table.

Representative Fitch moves that the House adjourn. The motion dies for lack of a second.

The motion to table passes by electronic vote (64-47).

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Decker and without objection, Committee Substitute for **H.B. 575,** A BILL TO BE ENTITLED AN ACT TO REMOVE THE TOWN OF KERNERSVILLE'S LOCAL MODIFICATIONS TO G.S. 58-84-35, FORMERLY G.S. 118-7, is withdrawn from the Calendar and re-referred to the Committee on Pensions and Retirement.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 314,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO MOUNT AIRY'S FIREFIGHTERS' SUPPLEMENTARY FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 513,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFIT FOR RETIRED CHARLOTTE FIREFIGHTERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 529,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE RECREATION COMMISSION OF THE TOWN OF LINCOLNTON TO CONVEY BY PRIVATE SALE CERTAIN PROPERTY TO THE CITY OF LINCOLNTON, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 543,** A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE DARE COUNTY GEOGRAPHICAL INFORMATION SYSTEM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 546,** A BILL TO BE ENTITLED AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT WITH RETRIEVABLE BALLOTS IN GASTON, GUILFORD, MECKLENBURG, AND UNION COUNTIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 232, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE ONSLOW COUNTY BOARD OF ALCOHOL CONTROL TO SERVE THREE CONSECUTIVE TERMS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 736,** A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA FINANCIAL PRIVACY ACT TO THE FEDERAL RIGHT TO FINANCIAL PRIVACY ACT, passes its second reading by electronic vote (110-2).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

H.B. 740, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRANSFER OF ACADEMIC CREDIT FROM COMMUNITY COLLEGE PROGRAMS TO FOUR-YEAR COLLEGE PROGRAMS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Brawley and without objection, **H.B. 812,** A BILL TO BE ENTITLED AN ACT TO REENACT, WITH MODIFICATIONS, CERTAIN MISDEMEANORS RELATING TO FIRES, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

S.B. 120, A BILL TO BE ENTITLED AN ACT TO PROVIDE UNIFORM TAX TREATMENT OF NORTH CAROLINA OBLIGATIONS AND FEDERAL OBLIGATIONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Representatives Allred, Berry, and Creech - 3.

Excused absences: Representatives Mercer and Snowden - 2.

Committee Substitute for **H.B. 477,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE AUTHORIZATION FOR PAYROLL DEDUCTIONS FROM EMPLOYEES' SALARIES TO EMPLOYEES' ORGANIZATIONS.

Representative Arnold offers Amendment No. 1.

On motion of Representative Arnold and without objection, the bill along with pending Amendment No. 1 is temporarily displaced.

Committee Substitute for **H.B. 213,** A BILL TO BE ENTITLED AN ACT CONCERNING THE COLLECTION OF DELINQUENT TRUCK PENALTIES AND ASSESSED TAXES AND THE CONSOLIDATION OF THE VARIOUS PROVISIONS CONCERNING OVERWEIGHT VEHICLES.

On motion of Representative R. Hunter, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 750,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF STATE TRUCKS AND VANS FOR THE STATE GAMES OF NORTH CAROLINA, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 413, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONVERSION OF SAVINGS ASSOCIATIONS AND SAVINGS BANKS INTO COMMERCIAL BANKS.

On motion of Representative Church, consideration of the bill is postponed until April 19.

Committee Substitute for **H.B. 477,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE AUTHORIZATION FOR PAYROLL DEDUCTIONS FROM EMPLOYEES' SALARIES TO EMPLOYEES' ORGANIZATIONS, with pending Amendment No. 1, is before the Body.

Representative Arnold withdraws Amendment No. 1.

On motion of Representative Arnold, consideration of the bill is postponed until April 19.

CONFEREES DISMISSED

On motion of Representative Locke, the Conferees on Senate Committee Substitute for **H.B. 115,** A BILL TO BE ENTITLED AN ACT TO MODIFY

THE APPOINTMENT OF THE HALIFAX ABC BOARD AND TO PROVIDE THAT DISTRIBUTION OF REVENUE SHALL BE ACCORDING TO GENERAL STATUTE, are dismissed and the Senate is so notified by Special Message.

On motion of Representative Locke, the vote by which the House failed to concur in the Senate committee substitute is reconsidered by electronic vote (106-1).

On motion of Representative Locke, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee and permanent subcommittee are presented:

By Representatives Arnold, Gray, and C. Wilson, for the Committee on Finance:

Committee Substitute for **H.B. 120,** A BILL TO BE ENTITLED AN ACT TO REVISE THE WINDOW TINTING LAWS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Preston and Grady for the Permanent Subcommittee on Education of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 738, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF TWENTY-THREE MILLION NINE HUNDRED THOUSAND DOLLARS OF COMMUNITY COLLEGE BONDS OR NOTES AND TO APPROPRIATE THE PROCEEDS OF THESE BONDS AND NOTES FOR SPECIFIC COMMUNITY COLLEGE CAPITAL PROJECTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative Robinson and without objection, **H.B. 600** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA ON-SITE WASTEWATER SYSTEM CONTRACTORS LICENSING BOARD, is withdrawn from the Committee on Business and Labor and re-referred to the Committee on State Government.

On motion of Representative Wood and without objection, **S.B. 321,** A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO ADOPT ELIGIBILITY RULES FOR INTERSCHOLASTIC ATHLETIC COMPETITION, is withdrawn from the Committee on Education and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Fox, the House adjourns at 3:00 p.m. to reconvene April 19 at 2:30 p.m.

FORTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 19, 1995

The House meets at 2:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, the more I am exposed to this lawmaking process, the more I realize what an awesome task this lawmaking business is. To bring order out of seeming chaos, sometime, and direction out of confusion. To forge into law regulation and rule for so many different situations and needs. And then for it to suit the desires and purposes of even half the people is a thing truly phenomenal. I appreciate these representatives, Father, and the work they do and the commitment I see them manifest. I'm truly honored to be able to be here to pray with them and for them and I know most of them

believe in prayer and Your unseen hand. I know I do:

'If radio's slim fingers can pluck a melody
from night and toss it over a continent or sea;
If the petaled white notes of a violin
are blown across the mountains or the city, dim;
If pictures like crimson roses, are culled from
thin blue air
Why should we mortals wonder if God hears prayer.'

E. Fuller

And so, Father, we'll work like it all depended on us, but we'll pray like it all depended on You. Thank You, Father. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 18 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-0).

Leaves of absence are granted Representatives Fox, Locke, Michaux, Snowden, and Wilkins for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 232, AN ACT TO ALLOW MEMBERS OF THE ONSLOW COUNTY BOARD OF ALCOHOL CONTROL TO SERVE THREE CONSECUTIVE TERMS. (CHAPTER 44)

H.B. 115, AN ACT TO MODIFY THE APPOINTMENT OF THE HALIFAX ABC BOARD AND TO PROVIDE THAT DISTRIBUTION OF REVENUE SHALL BE ACCORDING TO GENERAL STATUTE. (CHAPTER 45)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Allred for the Permanent Subcommittee on Economic Expansion and Growth:

H.B. 933, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAIR AND EQUITABLE LIQUIDATIONS OF MUTUAL ASSOCIATIONS AND SAVINGS BANKS, reported to the Standing Committee on Business and Labor with a favorable recommendation.

By Representative Dockham for the Committee on Insurance:

H.B. 503, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER HEALTH INSURANCE POLICIES AND PLANS, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

H.B. 749, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCEDURE FOR SENDING INSURANCE AGENTS AND COMPANIES NOTICES AND REQUESTS FOR CANCELLATION OF INSURANCE CONTRACTS BY INSURANCE PREMIUM FINANCE COMPANIES, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 20.

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 47,** A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE LICENSING OF ELECTRICAL CONTRACTORS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Culp for the Committee on Public Employees:

H.B. 448, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ELIGIBILITY FOR COVERAGE OF CERTAIN EMPLOYEES UNDER

THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN IS BASED UPON RETIREMENT MEMBERSHIP SERVICE, WHICH MAY BE EARNED AFTER THE DISABILITY BEGAN, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar for April 24.

By Representative McMahan for the Permanent Subcommittee on Community Colleges and Universities of the Standing Committee on Education, with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 537, A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 739, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE TRANSFER OF CREDIT BETWEEN NORTH CAROLINA INSTITUTIONS OF HIGHER EDUCATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Having received a unanimous vote in committee, the committee substitute bill is placed on the Consent Calendar for April 24. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 603, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION FOR ALAMANCE COUNTY TO ENTER INTO A CONTRACT TO REPAIR THE ALAMANCE COUNTY COURTHOUSE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 20.

H.B. 609, A BILL TO BE ENTITLED AN ACT TO ALLOW AN

EXEMPTION OF TYRRELL COUNTY FROM THE MINIMUM NUMBER OF HOURS ITS BOARD OF ELECTIONS OFFICE MUST BE OPEN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 20.

H.B. 611, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF SOUTHERN SHORES FROM CERTAIN STATUTORY REQUIREMENTS IN THE BUILDING OF A TRAINING CENTER FACILITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 20.

H.B. 627, A BILL TO BE ENTITLED AN ACT RELATING TO THE EMPLOYMENT PREFERENCE GIVEN BY CATAWBA COUNTY TO VETERANS WHO APPLY FOR COUNTY EMPLOYMENT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 20.

H.B. 628, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TIME OF ELECTION OF THE AVERY COUNTY BOARD OF EDUCATION FROM NOVEMBER TO MAY, with a favorable report as to committee substitute bill which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 648, A BILL TO BE ENTITLED AN ACT TO GIVE MOORESVILLE THE POWER TO REPAIR, ALTER, IMPROVE, CLOSE, REMOVE, OR DEMOLISH ABANDONED COMMERCIAL AND INDUSTRIAL BUILDINGS THAT ARE EYESORES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 20.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 667, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM TO USE WHEEL LOCKS ON ILLEGALLY PARKED

VEHICLES, with a favorable report as to committee substitute bill which changes the title, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 691, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FEES FOR SEWAGE SYSTEMS AND SERVICES MAY BE BILLED AND COLLECTED IN THE SAME MANNER AS PROPERTY TAXES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 692, A BILL TO BE ENTITLED AN ACT ALLOWING WAKE COUNTY TO USE ALTERNATIVE METHODS OF NOTIFICATION OF PROPERTY OWNERS OF PROPOSED ZONING NOTICE CHANGES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 761, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSURE OF FOREIGN LEGAL CONSULTANTS AND TO AUTHORIZE FOREIGN LEGAL CONSULTANTS TO ENGAGE IN A LIMITED PRACTICE OF LAW IN NORTH CAROLINA, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative J. Brown for the Committee on Agriculture:

H.B. 238, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LICENSING OF DEALERS IN POULTRY AND RATITES, with a favorable

report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Preston and Grady for the Permanent Subcommittee on Education of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 6, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, AND TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Having received a unanimous vote in committee, the committee substitute bill is placed on the Consent Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

By Representative Cummings for the Permanent Subcommittee on Preschool, Elementary and Secondary Education of the Standing Committee on Education, with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 834, A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR PARENTAL REVIEW OF AND TO PLACE CERTAIN RESTRICTIONS ON ANY INSTRUCTION ON SEXUALLY TRANSMITTED DISEASES OR OUT-OF-WEDLOCK PREGNANCY GIVEN AS PART OF A COMPREHENSIVE SCHOOL HEALTH PROGRAM; (2) TO MAKE CHANGES TO THE APPOINTMENTS TO THE STATE SCHOOL HEALTH ADVISORY COMMITTEE; (3) TO REQUIRE PUBLIC SCHOOLS TO OFFER AN ABSTINENCE UNTIL MARRIAGE PROGRAM; AND (4) TO AUTHORIZE LOCAL SCHOOL BOARDS TO OFFER COMPREHENSIVE SEX EDUCATION WHEN CERTAIN REQUIREMENTS CONCERNING REVIEW AND LOCAL APPROVAL ARE SATISFIED, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 20.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 476, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO INCREASE THE SPEED LIMIT ON ALL COMPLETED PORTIONS OF THE INTERSTATE HIGHWAY SYSTEM IN ALAMANCE COUNTY TO SIXTY-FIVE MILES PER HOUR, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative G. Wilson for the Permanent Subcommittee on Labor Relations and Employment:

H.B. 340, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INDIVIDUAL WHO IS UNABLE TO PASS A DRUG TEST IS INELIGIBLE FOR UNEMPLOYMENT BENEFITS UNDER CERTAIN CIRCUMSTANCES, reported to the Standing Committee on Business and Labor with a favorable recommendation, as amended.

H.B. 515, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF THE TERM "RELEVANT MARKET AREA" IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, reported to the Standing Committee on Business and Labor, with a favorable recommendation.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Holmes, Creech, and Esposito:

H.B. 984, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL AND TO AMEND CHAPTER 451 OF THE 1993 SESSION LAWS

REGARDING A WHOLLY SELF-LIQUIDATING PROJECT AT THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 146, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LUMBERTON TO ENACT ORDINANCES REGULATING THE TOWING OF MOTOR VEHICLES THAT HAVE BEEN ABANDONED AND ARE NOT COVERED BY FINANCIAL RESPONSIBILITY, is returned for concurrence in Senate Amendment No. 1 and placed on the Calendar for April 20.

Senate Committee Substitute for **H.B. 330,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM, THE CITY OF GASTONIA, AND THE CITY OF FAYETTEVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME, is returned for concurrence in Senate committee substitute and placed on the Calendar for April 20.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **S.B. 182,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF A CANDIDATE DIED BEFORE THE PRIMARY ELECTION, THE ESTATE OF THE CANDIDATE SHALL BE ENTITLED TO A REFUND OF THE FILING FEE, is read the first time and referred to the Committee on Finance.

S.B. 186, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SENTENCING COMMISSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 209, A BILL TO BE ENTITLED AN ACT TO MODIFY MISDEMEANOR STRUCTURED SENTENCING STATUTES TO PERMIT AN ACTIVE SENTENCE EQUAL TO OR LESS THAN TIME SERVED, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 243,** A BILL TO BE ENTITLED AN ACT

TO AMEND THE LAW REGARDING THE POWER OF A PERSONAL REPRESENTATIVE TO SETTLE CLAIMS FOR WRONGFUL DEATH, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary I.

S.B. 256, A BILL TO BE ENTITLED AN ACT TO REMOVE LANGUAGE REQUIRING AN ATTORNEY'S OPINION AND WRITTEN STATEMENT IN APPEALS BY INDIGENTS OF A JUDGMENT IN A CIVIL ACTION, is read the first time and referred to the Committee on Judiciary II.

S.B. 507, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO PERMIT THE CITY COUNCIL TO SPECIALLY ASSESS BENEFITED PROPERTY FOR THE COST OF EXTENDING WATER AND SEWER LINES TO PROPERTY LOCATED OUTSIDE OF THE CITY LIMITS WHEN REQUESTED BY THE BOARD OF COMMISSIONERS OF DURHAM COUNTY WITHOUT THE NECESSITY OF A PETITION FOR SUCH IMPROVEMENTS BEING SUBMITTED, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 527, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM ON THE REPEAL OF THE CHARTER OF THE TOWN OF SANDYFIELD, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 573, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ROLE OF OPTOMETRISTS IN MEDICAL COST CONTAINMENT THROUGH REVISION OF THE HOSPITAL PRIVILEGES LAW, TO REPEAL THE REQUIREMENT FOR AN OPTOMETRIST TO COLLABORATE WITH A PHYSICIAN IN THE USE OR PRESCRIPTION OF CERTAIN PHARMACEUTICAL AGENTS, TO ESTABLISH PEER REVIEW FOR OPTOMETRISTS, AND TO ESTABLISH AN OPTOMETRIST PRIVILEGE, is read the first time and referred to the Committee on Judiciary I.

S.B. 580, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ALBEMARLE CONCERNING ASSESSMENTS FOR STREET IMPROVEMENTS, is read the first time and referred to the Committee on Local and Regional Government I.

CALENDAR

Action is taken on the following:

H.B. 373, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES.

On motion of Representative Culpepper and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 3.

Committee Substitute No. 2 for **H.B. 381,** A BILL TO BE ENTITLED AN ACT TO GRANT THE TOWN OF APEX AND THE TOWN OF MOORESVILLE A TEMPORARY EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED.

The Chair rules that Amendment No. 1, which was adopted on April 18, is material, thus having constituted its first reading. The bill is before the Body on its second reading.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barbee, Barnes, Beall, Black, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Baker, Berry, and Creech - 3.

Excused absences: Representatives Fox, Locke, Michaux, Snowden, and Wilkins - 5.

H.B. 471, A BILL TO BE ENTITLED AN ACT TO REPEAL LOCAL

ACTS APPLICABLE TO THE CITY OF CHARLOTTE OR TO BOTH THE CITY OF CHARLOTTE AND THE COUNTY OF MECKLENBURG, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 666, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR THE CHEROKEE COUNTY SCHOOLS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 668, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE ALAMANCE COUNTY BOARD OF EDUCATION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 120, A BILL TO BE ENTITLED AN ACT TO PROVIDE UNIFORM TAX TREATMENT OF NORTH CAROLINA OBLIGATIONS AND FEDERAL OBLIGATIONS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Hunt, R. Hunter, Hurley, Ives, Kiser, Lee, Linney, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: Representatives Allred, Berry, and Creech - 3.

Excused absences: Representatives Fox, Locke, Michaux, Snowden, and Wilkins - 5.

Committee Substitute for **H.B. 24,** A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF FOOD STAMPS TO PARTICIPATE IN WORKFARE.

Representative Richardson offers Amendment No. 1 which is adopted by electronic vote (107-0).

Representative Redwine inquires of the Chair if the fact that the bill was heard in the Appropriations Committee complies with the provisions of Rule 38. The Chair rules that there is no substantial difference in amount of money nor any new money in the bill and it does comply with the rule.

GUEST

The Speaker appoints the following members as an escort committee for Miss America 1995: Representatives Lemmond, Culp, Thompson, Alexander, Morgan, and Mercer.

The Sergeant-at-Arms is recognized and he announces the approach of Miss America 1995. She enters and is escorted to the Well of the House by the Escort Committee.

Representative Morgan presents Miss Heather Whitestone, Miss America 1995, who addresses the Body. (The full text of her address may be found in its entirety in the Appendix.)

Upon completion of her address, Miss America 1995, joined by the Escort Committee, leaves the Hall of the House.

CALENDAR (continued)

Committee Substitute for **H.B. 24,** A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF FOOD STAMPS TO PARTICIPATE IN WORKFARE.

Representative Howard calls the previous question on the passage of the bill and the call is sustained by electronic vote (104-4).

The bill, as amended, passes its third reading, by electronic vote (95-16), and is ordered engrossed and sent to the Senate.

Representative Decker states that his voting equipment malfunctioned and requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (96-15).

INQUIRY

Representative Fitch inquires of the Chair if, pursuant to Rule 10, his debate on the main question to recall a bill on April 18, 1995, should have been limited to 10 minutes. The Speaker rules that the time limit was incorrect.

Representative Fitch moves that his remarks be reduced to writing and be spread upon the journal. Without objection, the Speaker so orders. Pursuant to Rule 11, the remarks are limited to 1000 words and are as follows:

"Mr. Speaker and members of the House. I make this motion today to give us one more chance to do the right thing and finally give some tax relief where it's really needed -- with the families of this state struggling to feed their children.

"Last week, I was dismayed when the leadership of this Body encouraged members of the majority party to withdraw their names from a discharge petition I had circulated to bring **H.B. 397** before us for a vote.

"That sent a signal to me that the leadership of this house would rather cater to millionaires than help the working people. It sent a signal to people that the leadership of this house was willing to use political power to choose the millionaires over the common men and women of our state.

"That dismayed me and discouraged me and disappointed me. But as I thought about it this past weekend, something else dismayed me even more. The distinguished representative from Forsyth, in his effort to take my bill out of the Finance Committee and send it to the Rules Committee, made a comment that has been ringing in my ears since I heard it.

"The distinguished representative said withdrawing a bill from a committee with a discharge petition was about politics and political move, that the procedure itself was flawed and was being used just for political advantage.

"I would instruct the gentleman from Forsyth and everyone else in this chamber to think about those comments. Then I would instruct you all to go back and read the eighth item of the much heralded Republican Contract for North Carolina.

"It is an item about legislative reform ... let me quote it verbatim. It says, '..real legislative reform..that upon petition of a majority of members of the House or Senate, requires that legislation held in committee be brought to the floor of that body for a vote by its members'.

"I thought about that this past weekend. I thought about it and I wondered that if it is the view of the majority party in this chamber that using a discharge petition to force a vote on a bill is a political move, for rhetorical purposes and to embarrass members of this House, and if that very procedure is an integral part of the Republican Contract for North Carolina, then the way I learned it in school is if A equals B and B equals C, then A equals C.

"So, then, if using discharge petition to force a bill out of committee, is in the words of the distinguished gentleman from Forsyth, a purely political move with no substance, and that same petition is one of only 8 legislative priorities of the majority party in this chamber, then we must conclude that the majority party is now admitting that the Contract for North Carolina is a purely political document and useful for only rhetoric and political gain, not to help the people of this state.

"I also noticed as I read the contract, it didn't have a clause in there about writing form letters for members of your own party to force them to take their names off a petition.

"But all that is water under the bridge. Although it might be wise to keep in mind as we continue this session that the majority party now views at least one-eighth of its own contract as purely political.

"Today we have a chance to get beyond all that, to get beyond legislative rules and contracts and petitions. We have a chance to vote to allow a vote on tax relief for the people who need it the most. The people in this state who are struggling to feed their children.

"We just cut taxes for millionaires. People can try to justify it all they want. We just cut taxes for millionaires. The numbers do not lie. More than 40 million dollars of the intangibles tax repeal goes back to individuals, goes to less than one percent of the people of this state.

"No one can dispute that. We just cut taxes for millionaires. One person I read stands to get a 395 thousand dollar windfall from this repeal. 395 thousand dollars. We just cut taxes for millionaires.

"Then I read in the paper comments that the food tax is fair, because everybody pays it. That's why repealing it is fair, because everybody would get a tax cut, not just the millionaires.

"How can we look ourselves in the mirror and say we think it's more important for millionaires to get a tax cut on their stocks and bonds than it is for a single mother trying to feed her children to get a tax cut on milk and bread?

"I am never going to stop trying to repeal this tax on food because I never will understand how we call ourselves a civilized society when we tax something everyone needs to survive.

"I also have heard, like you have heard the arguments that democrats were in power and we didn't cut the food tax. That's right. I wish we had. I introduced a bill to do that last year. But it was the decision of this Body that this year was the tax cut year.

"It was the decision of this Body to pass a budget, with many votes from members of the now majority party, that it was more important to give teachers a fair raise after several years of neglect. It was the consensus of this House that last year it was more important to fight infant mortality and take care of children with AIDS, two causes long neglected.

"I could go on and on. It is the height of hypocrisy to suggest that we should have cut the food tax last year instead of funding needs that we had for too long neglected. It's a symbol of how far out of whack our political system has gotten and why it's so important we pass this motion today --...."

CALENDAR (continued)

Objection having been raised, pursuant to Rule 40(b), Committee Substitute for **H.B. 736,** A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA FINANCIAL PRIVACY ACT TO THE FEDERAL RIGHT TO FINANCIAL PRIVACY ACT, is removed from today's Consent Calendar and placed on the regular Calendar.

Representative Hackney offers Amendment No. 1 which is adopted by

electronic vote (105-2).

The bill, as amended, passes its third reading, by electronic vote (110-1), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 477,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE AUTHORIZATION FOR PAYROLL DEDUCTIONS FROM EMPLOYEES' SALARIES TO EMPLOYEES' ORGANIZATIONS.

Representative Arnold offers Amendment No. 2 which is adopted by electronic vote (70-38).

Representative Arnold calls the previous question on the passage of the bill and the call is sustained by electronic vote (105-10).

The bill fails to pass its second reading by electronic vote (53-63).

H.B. 762, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT DEPOSITIONS RECORDED BY SOUND-AND-VISUAL MEANS MUST BE TRANSCRIBED AND TO PROVIDE THAT, INSTEAD OF A TRANSCRIPTION, THE RECORDING MAY BE REVIEWED BY THE DEPONENT AND MAY BE USED AS THE COURT'S COPY OF THE DEPOSITION.

On motion of Representative Robinson, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (106-3).

Representative Ellis objects to the third reading. The bill remains on the Calendar.

H.B. 766, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE UNIFORM THE LAWS REGARDING THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OLD.

Representative Brawley calls the previous question on the passage of the bill and the call is sustained by electronic vote (105-8).

The bill passes its second reading by electronic vote (71-43).

Representative Brawley objects to the third reading. The bill remains on the Calendar.

S.B. 413, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONVERSION OF SAVINGS ASSOCIATIONS AND SAVINGS BANKS INTO COMMERCIAL BANKS.

On motion of Representative Church and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Financial Institutions.

Committee Substitute for **S.B. 146,** A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA SEED LAW, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Nichols for the Committee on Health and Environment:

H.B. 708, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ELECTRONICALLY MONITOR AND RECORD COMPLIANCE DATA OFF-SITE FROM SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES THAT USE HAZARDOUS WASTE AS A FUEL, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 951, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTICIPATION IN THE BEAVER DAMAGE CONTROL PILOT PROGRAM BY CARTERET COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 386, A BILL TO BE ENTITLED AN ACT TO GIVE PRIORITY TO A LOCAL FORENSIC EXAMINATION OF A DEFENDANT WHOSE CAPACITY TO PROCEED TO TRIAL IS QUESTIONED BEFORE A STATE EVALUATION IS ORDERED AND TO MODIFY THE AUTHORITY OF THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO RESTRICT THE RIGHTS OF CLIENTS AT THE PRETRIAL EVALUATION CENTER AT DOROTHEA DIX, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

H.B. 5, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PUBLIC ASSISTANCE PERSONAL AND FAMILY RESPONSIBILITY ACT OF 1995, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Tallent for the Committee on Financial Institutions:

H.B. 758, A BILL TO BE ENTITLED AN ACT TO ADJUST INTEREST RATES AND CHARGES BY LENDERS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative Wood, Chair for the Standing Committee on Education, refers:

H.B. 810, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRANSFER OF COURSE CREDITS BETWEEN THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY AND COMMUNITY COLLEGE SYSTEMS, to the Permanent Subcommittee on Community Colleges and Universities.

H.B. 890, A BILL TO BE ENTITLED AN ACT TO CHANGE THE EDUCATION REQUIREMENTS FOR REGISTERED SANITARIANS AND TO REQUIRE THE DEPARTMENT OF COMMUNITY COLLEGES TO ESTABLISH A PROGRAM TO INSTRUCT INDIVIDUALS WHO SEEK TO BECOME REGISTERED SANITARIANS, to the Permanent Subcommittee on Community Colleges and Universities.

H.B. 896, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MCSMILES PROGRAM, A MOBILE PRESCHOOL PROGRAM FOR PRESCHOOL-AGED CHILDREN AND THEIR PARENTS, to the Permanent Subcommittee on Community Colleges and Universities.

H.B. 871, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO APPOINT ASSISTANCE TEAMS TO LOW PERFORMING SCHOOLS, to the Permanent Subcommittee on Preschool, Elementary, and Secondary Education.

H.B. 877, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE END-OF-COURSE AND END-OF-GRADE TESTS AND TO DIRECT THE STATE BOARD OF EDUCATION TO RECOMMEND ALTERNATIVE METHODS OF ASSESSING STUDENT PERFORMANCE, to the Permanent Subcommittee on Preschool, Elementary, and Secondary Education.

H.B. 878, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARENTAL CONSENT FOR SERVICES PROVIDED AT SCHOOL-BASED HEALTH CLINICS AND TO LIMIT THE SCOPE OF THE SERVICES PROVIDED, to the Permanent Subcommittee on Preschool, Elementary, and Secondary Education.

H.B. 914, A BILL TO BE ENTITLED AN ACT TO MODIFY THE

TERMS AND CONDITIONS OF OFFICE OF MEMBERS OF THE BOARDS OF TRUSTEES OF COMMUNITY COLLEGES, to the Permanent Subcommittee on Community Colleges and Universities.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **S.B. 125,** A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON REVERSE MORTGAGES AND TO CHANGE THE DISCLOSURE REQUIREMENTS FOR REVERSE MORTGAGE LOANS, is withdrawn from the Calendar and re-referred to the Committee on Financial Institutions.

RE-REFERRAL

On motion of Representative Morgan and without objection, **H.B. 476,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO INCREASE THE SPEED LIMIT ON ALL COMPLETED PORTIONS OF THE INTERSTATE HIGHWAY SYSTEM IN ALAMANCE COUNTY TO SIXTY-FIVE MILES PER HOUR, is withdrawn from the Committee on Finance and re-referred to the Committee on Transportation.

On motion of Representative Morgan, seconded by Representative Boyd-McIntyre, the House adjourns at 5:35 p.m. to reconvene April 20 at 1:30 p.m.

FIFTIETH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 20, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, life we say must go on and it must. We are back in committee, lobbying, maneuvering, pushing our bills, but I'm finding it hard

to close out yesterday. What a day of contrasts was yesterday. Our spirits were propelled from one end of the emotional spectrum to the other. First, we had the horrible and diabolical destruction of life in Oklahoma City, and then we were captivated and enthralled by the sweet purity and human compassion of Heather Whitestone. Two totally different experiences, and yet human beings were involved as the catalysts in both. How can human beings be so different? But then, each one of us struggles with good and evil within ourselves. These contrary forces are within us, and each time we gather they are present within this room. We make law and some law seems to militate against the dignity of man, other law uplifts, provides opportunity for good, and can facilitate the purposes expressed by 'Miss America' of providing all the possibility of 'I can'. Oh Father, let us make no law inspired by sensual depravity, but may every law be designed to be as honest and uplifting as the life purposes expressed by our 'bright light' of yesterday. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 19 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (75-3).

Leaves of absence are granted Representatives R. Hunter, Rogers, Snowden, Sutton, and Wright for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 120, AN ACT TO PROVIDE UNIFORM TAX TREATMENT OF NORTH CAROLINA OBLIGATIONS AND FEDERAL OBLIGATIONS. (CHAPTER 46)

S.B. 146, AN ACT TO AMEND THE NORTH CAROLINA SEED LAW. (CHAPTER 47)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Dockham for the Committee on Insurance:

H.B. 788, A BILL TO BE ENTITLED AN ACT TO INCLUDE HOSPITAL, MEDICAL, AND DENTAL SERVICE PLANS UNDER THE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 799, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DEFINITION OF CREDIT ACCIDENT AND HEALTH INSURANCE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 24.

By Representative Wood for the Committee on Education:

H.B. 881, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF TEACHER CERTIFICATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 769, A BILL TO BE ENTITLED AN ACT TO ADOPT OFFICIAL STATE DANCES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Nichols for the Committee on Health and Environment:

H.B. 773, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT ACCESS BY WOMEN TO OBSTETRICIAN-GYNECOLOGISTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives C. Wilson, Gray, and Arnold for the Committee on Finance:

Committee Substitute for **H.B. 680,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MULBERRY-FAIRPLAINS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 24.

By Representative Culp for the Committee on Public Employees:

H.B. 891, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE EMPLOYEES TO MAKE FAIR AND REASONABLE PERSONAL USE OF STATE TELECOMMUNICATIONS EQUIPMENT IF SUCH USE DOES NOT RESULT IN COST TO THE STATE AND DOES NOT REDUCE EMPLOYEE PERFORMANCE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Robinson for the Committee on Business and Labor:

H.B. 85, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NONPROFIT BARBER SCHOOLS HAVE ONE INSTRUCTOR FOR EVERY TWENTY-FIVE STUDENTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 812, A BILL TO BE ENTITLED AN ACT TO REENACT, WITH MODIFICATIONS, CERTAIN MISDEMEANORS RELATING TO FIRES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for April 24. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative Edwards, Chair for the Standing Committee on State Government, refers:

H.B. 600 A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA ON-SITE WASTEWATER SYSTEM CONTRACTORS LICENSING BOARD, to the Permanent Subcommittee on Boards and Commissions.

H.B. 829, A BILL TO BE ENTITLED AN ACT TO AMEND THE VARIOUS GROUNDS FOR DISCIPLINE OF PRACTITIONERS OF CHIROPRACTIC BY THE STATE BOARD OF CHIROPRACTIC EXAMINERS, to the Permanent Subcommittee on Boards and Commissions.

H.B. 847, A BILL TO BE ENTITLED AN ACT TO ESTABLISH LICENSING OF MONUMENT CONTRACTORS, to the Permanent Subcommittee on Boards and Commissions.

H.B. 865, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BOARD OF LANDSCAPE ARCHITECTS TO CHARGE REASONABLE FEES FOR THE REGISTRATION EXAMINATION TO RECOVER ALL COSTS FOR PUBLISHED MATERIALS AND TO MAKE A TECHNICAL CORRECTION TO THE FEE SCHEDULE, to the Permanent Subcommittee on Boards and Commissions.

H.B. 926, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGISTRATION OF ESTHETICIANS AND ESTHETICIAN APPRENTICES BY THE STATE BOARD OF COSMETIC ART EXAMINERS, to the Permanent Subcommittee on Boards and Commissions.

H.B. 841, A BILL TO BE ENTITLED AN ACT TO REDUCE THE MINIMUM NUMBER OF BEDS IN THE STATE VETERANS HOME TO BE CONSTRUCTED IN FAYETTEVILLE, to the Permanent Subcommittee on Military, Veterans and Indian Affairs.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative H. Hunter:

H.B. 985, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS FOR HEAD START PROGRAMS, is referred to the Committee on Appropriations.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **S.B. 695,** A BILL TO BE ENTITLED AN ACT TO CREATE THE BLUE RIBBON STUDY COMMISSION ON AGRICULTURE WASTE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 7,** A BILL TO BE ENTITLED AN ACT TO RESTORE CONSTITUTIONAL POWERS TO THE STATE BOARD OF EDUCATION AND TO MAKE CONFORMING AND TECHNICAL CHANGES, is returned for concurrence in Senate committee substitute and referred to the Committee on Education.

Upon concurrence, the Senate committee substitute changes the title.

S.B. 84, A BILL TO BE ENTITLED AN ACT TO PLACE TIME LIMITS ON OPTIONS IN GROSS AND OTHER INTERESTS IN LAND, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary II.

S.B. 208, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING AMENDMENTS AS RECOMMENDED BY THE SENTENCING COMMISSION, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 244,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SUMMARY ADMINISTRATION OF AN ESTATE WHERE A SURVIVING SPOUSE IS THE SOLE BENEFICIARY OF THE ESTATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary I.

S.B. 258, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE

RECORD-KEEPING RESPONSIBILITIES OF CLERKS OF SUPERIOR COURT IN IV-D CHILD SUPPORT CASES, is read the first time and referred to the Committee on Judiciary II.

S.B. 277, A BILL TO BE ENTITLED AN ACT TO REMOVE THE FIFTY ACRE LIMITATION ON CONDEMNING PROPERTY FOR A SCHOOL SITE, is read the first time and referred to the Committee on Education.

CALENDAR

Action is taken on the following:

H.B. 146, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LUMBERTON TO ENACT ORDINANCES REGULATING THE TOWING OF MOTOR VEHICLES THAT HAVE BEEN ABANDONED AND ARE NOT COVERED BY FINANCIAL RESPONSIBILITY.

On motion of Representative Cummings, the House concurs in the Senate amendment, by electronic vote (97-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 330,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM, THE CITY OF GASTONIA, AND THE CITY OF FAYETTEVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME.

On motion of Representative Womble, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (106-1), and the bill is ordered enrolled.

Committee Substitute No. 2 for **H.B. 381,** A BILL TO BE ENTITLED AN ACT TO GRANT THE TOWN OF APEX AND THE TOWN OF MOORESVILLE A TEMPORARY EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen,

Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Robinson, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 103.

Voting in the negative: Representatives Berry, Creech, Nichols, and Russell - 4.

Excused absences: Representatives R. Hunter, Rogers, Snowden, Sutton, and Wright - 5.

H.B. 603, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION FOR ALAMANCE COUNTY TO ENTER INTO A CONTRACT TO REPAIR THE ALAMANCE COUNTY COURTHOUSE.

On motion of Representative Decker and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government II.

H.B. 609, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXEMPTION OF TYRRELL COUNTY FROM THE MINIMUM NUMBER OF HOURS ITS BOARD OF ELECTIONS OFFICE MUST BE OPEN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 611, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF SOUTHERN SHORES FROM CERTAIN STATUTORY REQUIREMENTS IN THE BUILDING OF A TRAINING CENTER FACILITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 627, A BILL TO BE ENTITLED AN ACT RELATING TO THE EMPLOYMENT PREFERENCE GIVEN BY CATAWBA COUNTY TO VETERANS WHO APPLY FOR COUNTY EMPLOYMENT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 648, A BILL TO BE ENTITLED AN ACT TO GIVE MOORESVILLE THE POWER TO REPAIR, ALTER, IMPROVE, CLOSE, REMOVE, OR DEMOLISH ABANDONED COMMERCIAL AND INDUSTRIAL BUILDINGS THAT ARE EYESORES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 357, A BILL TO BE ENTITLED AN ACT TO REPEAL PROVISIONS OF THE GENERAL STATUTES AUTHORIZING THE DEPARTMENT OF CORRECTION TO INSPECT MINES IN WHICH CONVICTS ARE EMPLOYED AND REQUIRING THE DEPARTMENT TO ESTABLISH A REVOLVING FUND FOR LOANS TO PRISONERS, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 738,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF TWENTY-THREE MILLION NINE HUNDRED THOUSAND DOLLARS OF COMMUNITY COLLEGE BONDS OR NOTES AND TO APPROPRIATE THE PROCEEDS OF THESE BONDS AND NOTES FOR SPECIFIC COMMUNITY COLLEGE CAPITAL PROJECTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Gray, Hackney, Hensley, Hiatt, Hightower, Hill, Holmes, Howard,

Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, Womble, Wood, and Yongue - 100.

Voting in the negative: Representatives Fox, Gamble, Locke, and K. Miller - 4.

Excused absences: Representatives Hunt, R. Hunter, Rogers, Snowden, Sutton, and Wright - 6.

H.B. 762, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT DEPOSITIONS RECORDED BY SOUND-AND-VISUAL MEANS MUST BE TRANSCRIBED AND TO PROVIDE THAT, INSTEAD OF A TRANSCRIPTION, THE RECORDING MAY BE REVIEWED BY THE DEPONENT AND MAY BE USED AS THE COURT'S COPY OF THE DEPOSITION.

On motion of Representative Hensley and without objection, consideration of the bill is postponed until April 25.

H.B. 766, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE UNIFORM THE LAWS REGARDING THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OLD, which was temporarily displaced, is before the Body.

Representative Brawley offers Amendment No. 1 which is adopted by electronic vote (80-26).

On motion of Representative Ellis and without objection, the bill is temporarily displaced.

H.B. 749, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCEDURE FOR SENDING INSURANCE AGENTS AND COMPANIES NOTICES AND REQUESTS FOR CANCELLATION OF INSURANCE CONTRACTS BY INSURANCE PREMIUM FINANCE COMPANIES.

On motion of Representative Cocklereece, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (107-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 834, A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR PARENTAL REVIEW OF AND TO PLACE CERTAIN RESTRICTIONS ON ANY INSTRUCTION ON SEXUALLY TRANSMITTED DISEASES OR OUT-OF-WEDLOCK PREGNANCY GIVEN AS PART OF A COMPREHENSIVE SCHOOL HEALTH PROGRAM; (2) TO MAKE CHANGES TO THE APPOINTMENTS TO THE STATE SCHOOL HEALTH ADVISORY COMMITTEE; (3) TO REQUIRE PUBLIC SCHOOLS TO OFFER AN ABSTINENCE UNTIL MARRIAGE PROGRAM; AND (4) TO AUTHORIZE LOCAL SCHOOL BOARDS TO OFFER COMPREHENSIVE SEX EDUCATION WHEN CERTAIN REQUIREMENTS CONCERNING REVIEW AND LOCAL APPROVAL ARE SATISFIED.

On motion of Representative Hayes and without objection, the bill and pending committee amendment are withdrawn from the Calendar and re-referred to the Committee on Education, Subcommittee on Preschool, Elementary and Secondary Education.

H.B. 766, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE UNIFORM THE LAWS REGARDING THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OLD, which was temporarily displaced, is before the Body.

Representative Ellis offers Amendment No. 2.

On motion of Representative Brawley, seconded by Representative Culpepper, Amendment No. 2 is tabled by electronic vote (75-30).

On motion of Representative Neely, the bill is postponed until April 25.

READING OF PAPER

On motion of Representative J. Brown and without objection, pursuant to Rule 11, the following article from "Future Earth" is recorded in the Journal in honor of Earth Day, April 22, 1995.

"The first environmentalist was the farmer. In their year-round daily involvement with nature, farmers have striven to improve the soil, enrich barren plains with new plant life, sow trees by the millions, establish vineyards and groves, make deserts bloom and bring forth bounty where there was none before.

"Through the centuries, the people who work the land have lived, suffered, and prospered in an intimacy with their ecology unknown to their urban counterparts. Farmers didn't discover the environment in the past decade or so. Their claim to its cause predates that of everyone else.

"From bare subsistence just a few generations ago, the men and women on farms across America today provided unprecedented abundance to this nation and the world.

"They still toil on and with the land. They work to keep water and air clean. No one has a larger stake in environmental quality than farmers and no one else has endeavored as long or as hard for these things as have they.

"You see, to the men and women on our farms and ranches....every day is Earth Day!"

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 492, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CLAYTON TO USE THE SINGLE-PRIME CONTRACTOR METHOD OF CONSTRUCTING THE HOCUTT-ELLINGTON LIBRARY ADDITION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 602, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM ON THE REPEAL OF THE CHARTER OF THE TOWN OF

SANDYFIELD, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 640, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL PURCHASE OF SUPPLIES BY THE GUILFORD COUNTY SCHOOLS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 231, A BILL TO BE ENTITLED AN ACT TO REQUEST THE SUPREME COURT TO ADOPT A PLAN TO ADMINISTER JUSTICE WITHOUT DELAY IN NORTH CAROLINA TRIAL COURTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 473, A BILL TO BE ENTITLED AN ACT TO MAKE PROCEDURAL CHANGES AND TECHNICAL CORRECTIONS TO THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT, TO ALLOW RETROACTIVE INDEMNIFICATION OF A MANAGER OR MEMBER OF A LIMITED LIABILITY COMPANY, AND TO EXTEND THE USURY EXEMPTION TO LIMITED LIABILITY COMPANIES AND PARTNERSHIPS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Hiatt for the Permanent Subcommittee on Travel and Tourism:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO ENACT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO CLARIFY THE AUTHORITY OF THE BUILDING CODE COUNCIL TO ADOPT PROVISIONS REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL RESIDENTIAL RENTAL PROPERTY AND TO

PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF SMOKE DETECTORS, reported to the Standing Committee on Business and Labor with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

H.B. 424, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES REGARDING THE INSPECTION OF ELEVATORS AND RELATED DEVICES, AND REGARDING THE COLLECTION OF FEES THEREFOR, reported to the Standing Committee on Business and Labor with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

RECALL FROM ENROLLING

On motion of Representative Decker, Senate Committee Substitute for **H.B. 330,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM AND THE CITY OF GASTONIA TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME, is recalled from Enrolling.

On motion of Representative Decker, the vote by which the House concurred in the Senate committee substitute is reconsidered.

On motion of Representative Decker, the House does not concur in the Senate committee substitute and conferees are requested.

On motion of Representative Morgan, seconded by Representative Tolson, the House adjourns at 2:26 p.m. to reconvene Monday, April 24, 1995, at 7:00 p.m.

FIFTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Monday, April 24, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Decker.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 20 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (98-1).

Leaves of absence are granted Representatives Lee, McAllister, and Snowden for today.

BILL RE-CALENDARED

On motion of Representative Barnes, and without objection, Committee Substitute for **H.J.R. 226,** A JOINT RESOLUTION HONORING THE 1993-94 WOMEN'S BASKETBALL TEAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL FOR WINNING A NATIONAL CHAMPIONSHIP AND HONORING THE MEMORY OF JUNE GALLOWAY AND MIKE MATHESON, is re-calendared for immediate consideration as a Special Order of Business.

SPECIAL ORDER OF BUSINESS

Committee Substitute for **H.J.R. 226,** A JOINT RESOLUTION HONORING THE 1993-94 WOMEN'S BASKETBALL TEAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL FOR WINNING A NATIONAL CHAMPIONSHIP AND HONORING THE MEMORY OF JUNE GALLOWAY AND MIKE MATHESON, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

GUESTS

Representative Barnes is recognized and announces the arrival of the 1993-94 women's basketball team from the University of North Carolina at Chapel Hill who won the 1994 NCAA Division I Championship. They are escorted to the Well of the House by Representatives Barnes, Hackney, Justus, Howard, Wilkins, and Grady.

Representative Barnes introduces Head Coach Sylvia Hatchell, who makes brief remarks and introduces the following team members and staff to the Body.

Team Members: Tonya Cooper, Sylvia Crawley, Lori Gear, Gwendolyn Gillingham, Tonya Jackson, Stephanie Lawrence, Carrie McKee, Kim Rouse, Charlotte Smith, and Maja Vukojicic.

Staff: Ann Hancock and Shaniqua Walker.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 206, AN ACT TO INCORPORATE THE VILLAGE OF FLAT ROCK, SUBJECT TO A REFERENDUM. (CHAPTER 48)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Daughtry for the Committee on Judiciary I:

H.B. 50, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ROLE OF OPTOMETRISTS IN MEDICAL COST CONTAINMENT THROUGH REVISION OF THE HOSPITAL PRIVILEGES LAW, TO REPEAL THE REQUIREMENT FOR AN OPTOMETRIST TO COLLABORATE WITH A PHYSICIAN IN THE USE OR PRESCRIPTION OF CERTAIN PHARMACEUTICAL AGENTS, TO ESTABLISH PEER REVIEW FOR OPTOMETRISTS, AND TO ESTABLISH AN OPTOMETRIST PRIVILEGE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 192, A BILL TO BE ENTITLED AN ACT TO CREATE THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE AND TO PROVIDE THAT NO ADMINISTRATIVE RULE

SHALL BECOME EFFECTIVE UNTIL APPROVED BY THE GENERAL ASSEMBLY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Robinson for the Committee on Business and Labor:

H.B. 280, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF CERTAIN PRYOTECHNICS IN NORTH CAROLINA, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Berry and Howard for the Committee on Welfare Reform and Human Resources:

H.B. 733, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW-ENFORCEMENT OFFICERS TO TAKE PHYSICAL CUSTODY OF JUVENILES SIXTEEN AND SEVENTEEN YEARS OF AGE WHO ARE BEYOND THE DISCIPLINARY CONTROL OF THEIR PARENTS AND ABSENT FROM HOME, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 869, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF STANDBY GUARDIANS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary II.

The bill is re-referred to the Committee on Judiciary II.

By Representative Edwards for the Committee on State Government:

H.B. 844, A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the

Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 596, A BILL TO BE ENTITLED AN ACT TO DESCRIBE THE CORPORATE LIMITS OF THE CITY OF NEW BERN, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Dickson for the Committee on Public Utilities:

H.B. 366, A BILL TO BE ENTITLED AN ACT TO DIRECT THE UTILITIES COMMISSION TO ISSUE CERTIFICATES OF CONVENIENCE AND NECESSITY FOR NATURAL GAS SERVICE FOR ALL AREAS OF THE STATE FOR WHICH CERTIFICATES HAVE NOT BEEN ISSUED, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Sherrill for the Permanent Subcommittee on Boards and Commissions of the Standing Committee on State Government with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 456, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA PROGRESS BOARD, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 111, A BILL TO BE ENTITLED AN ACT TO OPEN THE COURT RECORDS AND PUBLISH THE IDENTITY OF JUVENILES WHO HAVE COMMITTED A-E FELONIES, with a favorable report as to

committee substitute bill, which changes the title, unfavorable as to original bill.

Having received a unanimous vote in committee, the committee substitute bill is placed on the Consent Calendar of April 26. The original bill is placed on the Unfavorable Calendar.

By Representative Allred for the Permanent Subcommittee on Economic Expansion and Growth:

H.B. 361, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO PLEDGE BLOCK GRANT FUNDS AS LOAN GUARANTEES PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT, reported to the Standing Committee on Business and Labor with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

H.B. 422, A BILL TO BE ENTITLED AN ACT TO PROMOTE ECONOMIC DEVELOPMENT BY REMOVING TECHNICAL REQUIREMENTS FOR THE FORMATION OF NORTH CAROLINA ENTERPRISE CORPORATIONS, reported to the Standing Committee on Business and Labor with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill.

SUBCOMMITTEE REFERRALS

Representative Robinson, Chair for the Standing Committee on Business and Labor, refers:

H.B. 746, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN INCREASE IN THE MINIMUM WAGE IF THE FEDERAL MINIMUM WAGE INCREASES, to the Permanent Subcommittee on Labor Relations and Employment.

H.B. 779, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA BOARD OF EMPLOYEE ASSISTANCE PROFESSIONALS AND TO PROVIDE FOR THE LICENSING OF EMPLOYEE ASSISTANCE PROFESSIONALS, to the Permanent Subcommittee on Labor Relations and Employment.

H.B. 701, A BILL TO BE ENTITLED AN ACT TO PERMIT

MUNICIPALITIES TO REGULATE THE POSSESSION OF OPEN CONTAINERS OF CERTAIN ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY, to the Permanent Subcommittee on Travel and Tourism.

H.B. 798, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN REQUIREMENTS PERTAINING TO MATERIALS USED IN CONJUNCTION WITH FOOD CONSUMPTION, to the Permanent Subcommittee on Travel and Tourism.

H.B. 825, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS, to the Permanent Subcommittee on Economic Expansion and Growth.

H.B. 923, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CITIES MAY ALLOW PAWNBROKERS ONLY WITH A SPECIAL USE PERMIT, to the Permanent Subcommittee on Economic Expansion and Growth.

Representative Wood, Chair for the Standing Committee on Education, refers:

H.B. 939, A BILL TO BE ENTITLED AN ACT TO REPEAL THE BASIC EDUCATION PROGRAM AND THE OUTCOME-BASED EDUCATION PROGRAM AND REPLACE THEM WITH THE REAL EDUCATION PROGRAM, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative C. Wilson:

H.B. 986, A BILL TO BE ENTITLED AN ACT TO REDUCE THE WHITE GOODS DISPOSAL TAX RATE BY APPROXIMATELY THIRTY-THREE PERCENT, is referred to the Committee on Finance.

By Representatives Hurley, Black, J. Brown, Church, Culpepper, Hill, Holmes, Mercer, Oldham, Owens, Ramsey, Redwine, Richardson, Robinson, Rogers, Sutton, and Tolson:

H.J.R. 987, A JOINT RESOLUTION HONORING THE MEMORY OF FORMER MEMBERS OF THE NORTH CAROLINA STATE DEFENSE MILITIA AND RECOGNIZING THE NORTH CAROLINA STATE DEFENSE MILITIA FOR ITS CONTRIBUTIONS TO THE STATE OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hurley, Brawley, Carpenter, Dickson, Hayes, Kiser, Pate, Richardson, Russell, and Weatherly:

H.B. 988, A BILL TO BE ENTITLED AN ACT TO EARMARK PART OF THE DRUG TAX PROCEEDS FOR REWARDS PAID FOR TIPS REGARDING CRIMES PURSUANT TO LOCAL CRIMESTOPPERS PROGRAMS, is referred to the Committee on Finance.

By Representatives R. Hunter, Alexander, Beall, Buchanan, Church, Gamble, Hightower, Hunt, Kiser, McCrary, Ramsey, and Thompson:

H.B. 989, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE FOR PLANNING, LAND PURCHASE, SITE DEVELOPMENT, AND CONSTRUCTION COSTS IN ESTABLISHING A JUSTICE ACADEMY IN MCDOWELL COUNTY, is referred to the Committee on Appropriations.

By Representatives Linney, Cansler, and Sherrill:

H.B. 990, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE WOMEN AT RISK PROGRAM, A SUCCESSFUL COMMUNITY-BASED CORRECTIONS PROGRAM ESTABLISHED IN BUNCOMBE COUNTY, is referred to the Committee on Appropriations.

By Representative Black:

H.B. 991, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE SERVICES TO LIMITED ENGLISH PROFICIENCY (LEP) STUDENTS, is referred to the Committee on Appropriations.

By Representatives Weatherly, Black, Blue, and Mitchell:

H.B. 992, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CENTER FOR COMMUNITY SELF-HELP TO FURTHER A STATEWIDE PROGRAM OF LENDING FOR HOME OWNERSHIP, is

referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 71, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FIRE FIGHTERS AND EMERGENCY MEDICAL SERVICE PERSONNEL MAY POSSESS OR CARRY WEAPONS ON SCHOOL GROUNDS WHEN DISCHARGING THEIR OFFICIAL DUTIES, is returned for concurrence in Senate amendment and placed on the Calendar for April 25.

Upon concurrence, the Senate amendment changes the title.

Committee Substitute for **H.B. 122,** A BILL TO BE ENTITLED AN ACT TO EXPAND THE ALLOWABLE USES OF TRANSPORTER PLATES, TO ALLOW OWNERS OF SALVAGE VEHICLES TO RETAIN TITLE TO THE VEHICLES, AND TO EXEMPT OUT-OF-STATE UTILITY VEHICLES THAT ARE USED IN CERTAIN EMERGENCY OPERATIONS FROM THE VEHICLE REGISTRATION AND ROAD TAX REQUIREMENTS, is returned for concurrence in Senate amendment and placed on the Calendar for April 25.

Committee Substitute for **S.B. 99,** A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, AND TO MAKE CONFORMING STATUTORY CHANGES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute No. 2 for **S.B. 259,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL LIABILITY FOR LARCENY, SHOPLIFTING, EMBEZZLEMENT, AND OBTAINING PROPERTY BY FALSE PRETENSE AND TO PROTECT MERCHANTS AND PEACE OFFICERS FROM CIVIL LIABILITY FOR DETENTION OR ARREST OF PERSONS ACCUSED OF LARCENY, is read the first time and referred to the Committee on Judiciary II.

S.B. 325, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DISTRICT ATTORNEY'S DESIGNEE OR A SPECIAL PROSECUTOR TO REQUEST THAT AN INVESTIGATIVE GRAND JURY BE CONVENED

TO CONSIDER CERTAIN ALLEGED VIOLATIONS OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT, is read the first time and referred to the Committee on Judiciary II.

S.B. 383, A BILL TO BE ENTITLED AN ACT TO PERMIT THE USE OF THE CORRECTION ENTERPRISES LAUNDRY OPERATION IN EMERGENCY SITUATIONS AND IN THE EVENT OF EQUIPMENT MALFUNCTION OR RENOVATION AT CERTAIN HOSPITAL LAUNDRIES, is read the first time and referred to the Committee on Judiciary II.

S.B. 555, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS MAY ACCESS, TO MOVE FEE AUTHORIZATIONS FROM SEPARATE SECTIONS TO A GENERAL FEE SECTION, TO ELIMINATE A FEE THAT IS NOT NEEDED, AND TO UPDATE STATUTORY LANGUAGE ON BOARD ANNUAL MEETINGS, is read the first time and referred to the Committee on Finance.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 951,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTICIPATION IN THE BEAVER DAMAGE CONTROL PILOT PROGRAM BY CARTERET COUNTY, and Committee Substitute No. 2 for **H.B. 120,** A BILL TO BE ENTITLED AN ACT TO REVISE THE WINDOW TINTING LAWS, are withdrawn from the Calendar and placed on the Calendar of April 27.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 680,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MULBERRY-FAIRPLAINS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson,

Dockham, Earle, Easterling, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Ives, Justus, Kiser, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: Representative Eddins.

Excused absences: Representatives Lee, McAllister, and Snowden - 3.

Committee Substitute for **H.B. 628,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE TIME OF ELECTION OF THE AVERY COUNTY BOARD OF EDUCATION FROM NOVEMBER TO MAY, AND TO PROVIDE THAT THAT BOARD SHALL TAKE OFFICE IN JULY OF THE YEAR OF THEIR ELECTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 692,** A BILL TO BE ENTITLED AN ACT ALLOWING WAKE COUNTY TO USE ALTERNATIVE METHODS OF NOTIFICATION OF PROPERTY OWNERS OF PROPOSED ZONING NOTICE CHANGES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 448, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ELIGIBILITY FOR COVERAGE OF CERTAIN EMPLOYEES UNDER THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN IS BASED UPON RETIREMENT MEMBERSHIP SERVICE, WHICH MAY BE EARNED AFTER THE DISABILITY BEGAN, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 739,** A BILL TO BE ENTITLED AN

ACT TO SIMPLIFY THE TRANSFER OF CREDIT BETWEEN NORTH CAROLINA INSTITUTIONS OF HIGHER EDUCATION, passes its second reading, by electric vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 6,** A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, AND TO MAKE CONFORMING STATUTORY CHANGES, passes its second reading by electronic vote (111-0).

Representative Hensley objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 738,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF TWENTY-THREE MILLION NINE HUNDRED THOUSAND DOLLARS OF COMMUNITY COLLEGE BONDS OR NOTES AND TO APPROPRIATE THE PROCEEDS OF THESE BONDS AND NOTES FOR SPECIFIC COMMUNITY COLLEGE CAPITAL PROJECTS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lemmond, Linney, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, Wood, and Yongue - 102.

Voting in the negative: Representatives Gamble, Locke, McLaughlin,

K. Miller, Womble, and Wright - 6.

Excused absences: Representatives Lee, McAllister, and Snowden - 3.

Representative Womble states that his voting equipment malfunctioned and requests that he be recorded as voting as "aye". This request is granted. The adjusted vote total is (103-5).

BILL RE-CALENDARED

On motion of Representative Brawley and without objection, Committee Substitute for **H.B. 812,** A BILL TO BE ENTITLED AN ACT TO REENACT, WITH MODIFICATIONS, CERTAIN MISDEMEANORS RELATING TO FIRES, is re-calendared for immediate consideration.

Representative Brawley offers Amendment No. 1 which is adopted by electronic vote (107-0).

On motion of Representative Brawley and without objection, the bill is withdrawn from the Calendar, ordered engrossed and re-referred to the Committee on Judiciary II.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 47,** A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE LICENSING OF ELECTRICAL CONTRACTORS, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 708,** A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ELECTRONICALLY MONITOR AND RECORD COMPLIANCE DATA OFF-SITE FROM SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES THAT USE HAZARDOUS WASTE AS A FUEL.

Representative Hightower offers Amendment No. 1.

Representative Hightower calls for the "ayes" and "noes" on the amendment and requests that the vote be spread upon the Journal. The Speaker so orders.

Representative Nichols calls the previous question on the amendment and the call is sustained by electronic vote (103-9).

Amendment No. 1 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Gardner, Hackney, Hensley, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Justus, Luebke, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Watson, Wilkins, Womble, Wright, and Yongue - 51.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Grady, Gray, Hayes, Hiatt, Holmes, Ives, Kiser, Lemmond, Linney, Locke, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Thompson, Weatherly, C. Wilson, G. Wilson, and Wood - 63.

Excused absences: Representatives Lee, McAllister, and Snowden - 3.

The bill passes its second reading by electronic vote (91-23).

Representative Hightower objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 386,** A BILL TO BE ENTITLED AN ACT TO GIVE PRIORITY TO A LOCAL FORENSIC EXAMINATION OF A DEFENDANT WHOSE CAPACITY TO PROCEED TO TRIAL IS QUESTIONED BEFORE A STATE EVALUATION IS ORDERED AND TO MODIFY THE AUTHORITY OF THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO RESTRICT THE RIGHTS OF CLIENTS AT THE

PRETRIAL EVALUATION CENTER AT DOROTHEA DIX, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 799, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DEFINITION OF CREDIT ACCIDENT AND HEALTH INSURANCE, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

PROTEST

Representative Barnes requests and is granted permission to submit the following protest for inclusion in the House Journal pursuant to Article II, Section 18 of the North Carolina Constitution.

"In the House Appropriations Committee last week while discussing the State Abortion Fund for Indigent Women, some comments were made regarding women being untruthful about rape and incest in order to gain access to the fund, about the fund promoting promiscuity, about women who are raped not getting pregnant because their juices are not flowing, about 'real' rape as opposed to 'date' rape when the woman is not really saying 'no'.

"Whether or not these remarks have been misinterpreted, as one member has claimed, they, nevertheless, have caused a great deal of anguish to women and men across the state, nation, and world. Some are angry, some feel betrayed, many are hurt, bewildered, and saddened. Many of us feel that these comments show an alarming lack of respect for women, a total lack of understanding of the trauma of rape and incest and the toll they take on a woman, and an insensitivity unequalled at least during the fourteen years I have served in this Body. Citizens hope their elected representatives will be enlightened, and expect them, at least, to be well informed.

"In defense of the dignity and integrity of the House, it is important to note that these remarks were the opinions of individual House members and do not reflect the thinking of the House as a whole. There are men and women here of both political parties who do trust the women of this state to be truthful, who regard rape and incest as acts of violence against women, who believe that when a woman says 'no' she always means it, who know that

promiscuity has nothing to do with rape or incest, who know that women can and do get pregnant during rape and incest, and who are very very sorry for the pain these careless comments have inflicted."

CONFEREES APPOINTED

The Speaker appoints the following members as conferees on Senate Committee Substitute for **H.B. 330,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM, THE CITY OF GASTONIA, AND THE CITY OF FAYETTEVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME: Representative Decker, Chair; Representatives Hurley and Dickson.

The Senate is so notified by Special Message.

RECALL FROM ENROLLING

On motion of Representative Cummings, **H.B. 146,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LUMBERTON TO ENACT ORDINANCES REGULATING THE TOWING OF MOTOR VEHICLES THAT HAVE BEEN ABANDONED AND ARE NOT COVERED BY FINANCIAL RESPONSIBILITY, is recalled from Enrolling by electronic vote (106-1).

On motion of Representative Cummings, the vote by which the House concurred in Senate Amendment No. 1 is reconsidered by electronic vote (110-0).

On motion of Representative Cummings, the House does not concur in Senate Amendment No. 1, by electronic vote (112-0), and conferees are requested.

The Speaker appoints Representatives Cummings, Sutton, and Yongue as conferees on the part of the House and the Senate is so notified by Special Message.

INTRODUCTION OF PAGES

Pages for the week of April 24-27 are introduced to the membership.

They are: Jarad Blackey of Wake; Rosalind Brandt of Moore; Kimberly Brown of Brunswick; Jonathan Bumgarner of Wilkes; Shane Burton of Guilford; Shaun Cates of Pitt; Lindsay Dedo of Forsyth; Kellie Grissom of Granville; Susanna Grissom of Granville; Rebecca Gumbiner of Guilford; Candie Hartsog of Ashe; Gina Huskey of Wake; Jeff Joyner of Wayne; Melanie Matthews of Wake; Gary Nichols of Wilkes; Chad Oakley of Person; Kim Scott of Wake; Ashley Titus of Yadkin; Bryan Wagner of Wake; Jon Walters of Wake; Leslie Whitehurst of Wake; Bubba Williams of Craven; John Witherspoon, Jr. of Mecklenburg; and Sharon Woodburn of Guilford.

RE-REFERRAL

On motion of Representative Gray and without objection, **H.B. 758,** A BILL TO BE ENTITLED AN ACT TO ADJUST CHARGES BY LENDERS, is withdrawn from the Committee on Finance and re-referred to the Committee on Financial Institutions.

On motion of Representative Morgan, seconded by Representative Linney, the House adjourns at 8:58 p.m. to reconvene April 25 at 12:00 Noon.

FIFTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 25, 1995

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, thank You for Your grace and providence that brings us to this day. Be honored in our hearts and our minds. We are in a bit of a hurry, Father, to see our team off so we'll be brief. Give them a safe journey and may they jump high, dribble true and dunk hard. Your word says 'They which run in a race run all, but one receiveth the prize'. And, if it's okay with You, we hope our team wins. Thank You, too, for a bit of fun in the midst of serious life. Through Christ our Lord we pray. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and

Operations of the House, reports the Journal of April 24 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (86-2).

Leaves of absence are granted Representatives Barbee, Hurley, McAllister, and Snowden for today.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 226, A JOINT RESOLUTION HONORING THE 1993-94 WOMEN'S BASKETBALL TEAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL FOR WINNING A NATIONAL CHAMPIONSHIP AND HONORING THE MEMORY OF JUNE GALLOWAY AND MIKE MATHESON. (RESOLUTION 6)

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee are presented:

Representatives Holmes, Creech, and Esposito, for the Committee on Appropriations, submit the following bills with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 993** and placed on the Calendar for April 26 for its first reading.

A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY CHANGING VARIOUS REVENUE STATUTES.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 994** and placed on the Calendar for April 26 for its first reading.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 279, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF LOCAL BOARDS OF EDUCATION TO OBTAIN PROPERTY UNDER THE "QUICK TAKE" PROCEDURE AVAILABLE TO OTHER LOCAL GOVERNMENTS, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute No. 2 for **S.B. 287,** A BILL TO BE ENTITLED AN ACT TO CREATE OFFENSES OF STATUTORY RAPE AND STATUTORY SEXUAL OFFENSE AGAINST VICTIMS WHO ARE THIRTEEN, FOURTEEN, OR FIFTEEN YEARS OLD, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 294,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE ISSUANCE AND RENEWAL OF BARBER CERTIFICATES, PERMITS, AND LICENSES, TO ESTABLISH LATE FEES FOR EXPIRED CERTIFICATES, TO MAKE CERTAIN REVISIONS TO THE LAW GOVERNING THE BOARD OF BARBER EXAMINERS AND THE SANITARY RULES, AND TO MAKE CONFORMING CHANGES TO THE COSMETIC ART ACT, is read the first time and referred to the Committee on State Government and, if favorable, to the Committee on Finance.

S.B. 379, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON THE JUVENILE CODE TO ALLOW COURTS TO ORDER PSYCHIATRIC OR PSYCHOLOGICAL TREATMENT OF PARENTS OF JUVENILES ADJUDICATED DELINQUENT, UNDISCIPLINED, ABUSED, NEGLECTED, OR DEPENDENT AT THE DISPOSITIONAL HEARINGS OR SUBSEQUENT HEARINGS AND TO PROVIDE FOR NOTICE, is read the first time and referred to the Committee on Judiciary II.

S.B. 407, A BILL TO BE ENTITLED AN ACT TO EXEMPT TRAILERS FROM THE PAYMENT OF THE GLOBAL TRANSPARK TEMPORARY ZONE VEHICLE REGISTRATION TAX, is read the first time and referred to the Committee on Finance.

S.B. 437, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET CONCERNING GOVERNMENT CONSTRUCTION

CONTRACTS, is read the first time and referred to the Committee on Business and Labor.

S.B. 583, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONAL REPRESENTATIVES OF ESTATES IN THE CITY OF WINSTON-SALEM TO EXPEND ESTATE ASSETS TO PREVENT THE WASTE OF REAL PROPERTY BELONGING TO THE ESTATE, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 600, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED FOUR-YEAR TERMS FOR MEMBERS OF THE STANLY COUNTY BOARD OF COMMISSIONERS, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 618, A BILL TO BE ENTITLED AN ACT RELATING TO THE EMPLOYMENT PREFERENCE GIVEN BY CATAWBA COUNTY TO VETERANS WHO APPLY FOR COUNTY EMPLOYMENT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 636, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION OF PROFITS FROM THE ABC SYSTEM IN THE CITY OF HENDERSONVILLE, is read the first time and referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

S.B. 639, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF HENDERSONVILLE TO DONATE UNCLAIMED BICYCLES TO CHARITY, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 654, A BILL TO BE ENTITLED AN ACT AUTHORIZING A ONE-STEP SERVICE PROCESS IN SPECIFIED HOUSING CODE CASES IN THE CITY OF ASHEVILLE, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 663, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FOR THE CITY OF WILMINGTON AND NEW HANOVER COUNTY FROM THE PUBLIC RECORDS ACT FOR CERTAIN GEOGRAPHICAL INFORMATION SYSTEMS, is read the first time and referred to the Committee on Local and Regional Government II.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
April 25, 1995

Mr. Speaker:

Pursuant to your message received Tuesday, April 25, 1995, that the House of Representatives fails to concur in Senate Amendment No. 1 to **H.B. 146,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LUMBERTON TO ENACT ORDINANCES REGULATING THE TOWING OF MOTOR VEHICLES THAT HAVE BEEN ABANDONED AND ARE NOT COVERED BY FINANCIAL RESPONSIBILITY, and requests conferees, the President Pro Tempore appoints:

Senator Parnell, Chairman
Senator Jordan
Senator Ballance

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
April 25, 1995

Mr. Speaker:

Pursuant to your message received Tuesday, April 25, 1995, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 330** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM, THE CITY OF GASTONIA, AND THE CITY OF FAYETTEVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, AND TO CLARIFY

THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME, which proposes to change the title, upon concurrence, to read **H.B. 330** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM, AND THE CITY OF GASTONIA TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME, and requests conferees, the President Pro Tempore appoints:

Senator Horton, Chairman
Senator Hoyle
Senator Dannelly

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

BILL RE-CALENDARED

On motion of Representative Gray and without objection, **H.B. 223,** A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE EXCISE TAX ON SOFT DRINKS OVER FOUR YEARS, is re-calendared for immediate consideration.

On motion of Representative Gray, Committee Amendment No. 1 is adopted by electronic vote (105-0).

Pursuant to Rule 24.1A, Representative G. Miller requests that he be excused from voting on the bill because of legal representation of an interested party and this request is granted.

The bill, as amended, passes its second reading, by electronic vote (108-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

CALENDAR

Action is taken on the following:

H.B. 71, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FIRE FIGHTERS AND EMERGENCY MEDICAL SERVICE PERSONNEL MAY POSSESS OR CARRY WEAPONS ON SCHOOL GROUNDS WHEN DISCHARGING THEIR OFFICIAL DUTIES.

On motion of Representative Edwards, the House concurs in the Senate amendment, which changes the title, by electronic vote (99-9), and the bill is ordered enrolled.

Committee Substitute for **H.B. 122,** A BILL TO BE ENTITLED AN ACT TO EXPAND THE ALLOWABLE USES OF TRANSPORTER PLATES, TO ALLOW OWNERS OF SALVAGE VEHICLES TO RETAIN TITLE TO THE VEHICLES, AND TO EXEMPT OUT-OF-STATE UTILITY VEHICLES THAT ARE USED IN CERTAIN EMERGENCY OPERATIONS FROM THE VEHICLE REGISTRATION AND ROAD TAX REQUIREMENTS.

On motion of Representative Arnold, the House concurs in the Senate amendment, by electronic vote (107-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 680,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MULBERRY-FAIRPLAINS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baker, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Barbee, Hurley, McAllister, and Snowden - 4.

Committee Substitute for **H.B. 6,** A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, AND TO MAKE CONFORMING STATUTORY CHANGES, passes its third reading, by electronic vote (109-0), and is ordered sent to the Senate.

H.B. 762, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT DEPOSITIONS RECORDED BY SOUND-AND-VISUAL MEANS MUST BE TRANSCRIBED AND TO PROVIDE THAT, INSTEAD OF A TRANSCRIPTION, THE RECORDING MAY BE REVIEWED BY THE DEPONENT AND MAY BE USED AS THE COURT'S COPY OF THE DEPOSITION.

On motion of Representative Hensley and without objection, consideration of the bill is postponed until April 27.

RE-REFERRAL

On motion of Representative Morgan and without objection, **H.B. 539,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON ANNEXATION IN BUNCOMBE COUNTY IF REQUESTED BY RESIDENTS OF THE AREA TO BE ANNEXED, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Local and Regional Government I.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Robinson for the Committee on Business and Labor:

H.B. 361, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE

DEPARTMENT OF COMMERCE TO PLEDGE BLOCK GRANT FUNDS AS LOAN GUARANTEES PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Morgan, seconded by Representative Locke, the House adjourns at 12:31 p.m. to reconvene April 26 at 1:30 p.m.

FIFTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 26, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. John Bergland, Haymount United Methodist Church, Fayetteville, North Carolina.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 25 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-0).

Leaves of absence are granted Representatives Alexander, Braswell, Carpenter, and Snowden for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 71, AN ACT TO PROVIDE THAT FIRE FIGHTERS, EMERGENCY SERVICE PERSONNEL AND NORTH CAROLINA FOREST SERVICE PERSONNEL MAY POSSESS OR CARRY WEAPONS ON SCHOOL GROUNDS WHEN DISCHARGING THEIR OFFICIAL DUTIES. (CHAPTER 49)

H.B. 122, AN ACT TO EXPAND THE ALLOWABLE USES OF TRANSPORTER PLATES, TO ALLOW OWNERS OF SALVAGE VEHICLES TO RETAIN TITLE TO THE VEHICLES, AND TO EXEMPT OUT-OF-STATE UTILITY VEHICLES THAT ARE USED IN CERTAIN EMERGENCY OPERATIONS FROM THE VEHICLE REGISTRATION AND ROAD TAX REQUIREMENTS. (CHAPTER 50)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Tallent for the Committee on Financial Institutions:

Committee Substitute for **H.B. 758,** A BILL TO BE ENTITLED AN ACT TO ADJUST CHARGES BY LENDERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative McMahan for the Permanent Subcommittee on Community Colleges and Universities of the Standing Committee on Education with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 896, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MCSMILES PROGRAM, A MOBILE PRESCHOOL PROGRAM FOR PRESCHOOL-AGED CHILDREN AND THEIR PARENTS, with a favorable report.

On motion of the Chair, pursuant to Rule 38(a), the bill is re-referred to the Committee on Appropriations.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 639, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS UNDER WHICH THE PIEDMONT TRIAD AIRPORT AUTHORITY REGULATES PARKING AT THE PIEDMONT TRIAD INTERNATIONAL AIRPORT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Cummings for the Permanent Subcommittee on Preschool, Elementary and Secondary Education of the Standing Committee on Education with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 871, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO APPOINT ASSISTANCE TEAMS TO LOW PERFORMING SCHOOLS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 877, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE END-OF-COURSE AND END-OF-GRADE TESTS AND TO DIRECT THE STATE BOARD OF EDUCATION TO RECOMMEND ALTERNATIVE METHODS OF ASSESSING STUDENT PERFORMANCE, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar of May 1.

By Representative Hiatt for the Permanent Subcommittee on Travel and Tourism:

H.B. 798, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN REQUIREMENTS PERTAINING TO MATERIALS USED IN CONJUNCTION WITH FOOD CONSUMPTION, reported to the Standing Committee on Business and Labor with a favorable recommendation.

By Representative J. Brown for the Committee on Agriculture:

H.B. 524, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PUBLIC HEALTH BY REGULATING THE MANAGEMENT AND DISPOSAL OF ANIMAL WASTE BY INTENSIVE HOG OPERATIONS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 606, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTIES OF THE TRUSTEE OF AN IRREVOCABLE LIFE INSURANCE TRUST, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 618, A BILL TO BE ENTITLED AN ACT TO INCREASE THE THRESHOLD AT WHICH MECKLENBURG COUNTY AND THE MUNICIPALITIES WITHIN THE COUNTY MAY USE FORCE ACCOUNT QUALIFIED LABOR, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 659, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN DUPLIN COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for April 27. The original bill is placed on the Unfavorable Calendar.

H.B. 660, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON ANNEXATION IN PARKWOOD IN DURHAM COUNTY IF REQUESTED BY RESIDENTS OF THE AREA TO BE ANNEXED, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Robinson for the Committee on Business and Labor:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO ENACT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO CLARIFY THE AUTHORITY OF THE BUILDING CODE COUNCIL TO ADOPT PROVISIONS REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF SMOKE DETECTORS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 340, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INDIVIDUAL WHO IS UNABLE TO PASS A DRUG TEST IS INELIGIBLE FOR UNEMPLOYMENT BENEFITS UNDER CERTAIN CIRCUMSTANCES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 424, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES REGARDING THE INSPECTION OF ELEVATORS AND RELATED DEVICES, AND REGARDING THE COLLECTION OF FEES THEREFOR, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.R. 154, A HOUSE RESOLUTION COMMEMORATING THE TWENTY-FIFTH ANNIVERSARY OF SESAME STREET, with an unfavorable report, and with recommendation that it not be adopted.

The resolution is placed on the Unfavorable Calendar.

H.B. 371, A BILL TO BE ENTITLED AN ACT TO REDUCE THE COMPENSATION AND EXPENSE ALLOWANCES OF MEMBERS OF

THE GENERAL ASSEMBLY AND TO PROVIDE THAT EXPENSE ALLOWANCES ARE NOT INCLUDED IN THE BASE FOR CALCULATING LEGISLATIVE RETIREMENT, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

The bill is re-referred to the Committee on Pensions and Retirement.

H.B. 559, A BILL TO BE ENTITLED AN ACT TO MAKE THE LEGISLATIVE RETIREMENT SYSTEM OPTIONAL, reported with prejudice and with recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

The bill is re-referred to the Committee on Pensions and Retirement.

H.R. 688, A HOUSE RESOLUTION TO ESTABLISH THE HOUSE SELECT INVESTIGATIVE COMMITTEE ON CERTIFICATES OF NEED, with recommendation that it be adopted.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

S.B. 321, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO ADOPT ELIGIBILITY RULES FOR INTERSCHOLASTIC ATHLETIC COMPETITION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 27.

S.B. 535, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE APPOINTIVE OFFICE OF TAX COLLECTOR FOR BUNCOMBE COUNTY AND THE CITY OF ASHEVILLE UPON THE EXPIRATION OF THE TERM OF THE PRESENT ELECTED TAX COLLECTOR AND TO AUTHORIZE THE JOINT OR SEPARATE APPOINTMENT OF A TAX COLLECTOR FOR THE COUNTY AND CITY, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Local and Regional Government I.

The bill is re-referred to the Committee on Local and Regional Government I.

S.B. 540, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTION OF ALL THE MEMBERS OF THE ROCKINGHAM CITY COUNCIL FOR FOUR-YEAR TERMS, reported without prejudice and with

recommendation that the bill be re-referred to the Committee on Local and Regional Government I.

The bill is re-referred to the Committee on Local and Regional Government I.

S.B. 568, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DAVIE COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE ON THE FIRST MONDAY IN JULY FOLLOWING THEIR ELECTION, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Local and Regional Government I.

The bill is re-referred to the Committee on Local and Regional Government I.

S.B. 579, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CLEVELAND COUNTY BOARD OF EDUCATION TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Local and Regional Government I.

The bill is re-referred to the Committee on Local and Regional Government I.

H.B. 421, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE NORTH CAROLINA STATE PORTS AUTHORITY AND THE NORTH CAROLINA PORTS RAILWAY COMMISSION TO THE DEPARTMENT OF TRANSPORTATION AND TO AMEND THE RESPONSIBILITIES OF THE BOARD OF TRANSPORTATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Transportation.

The committee substitute bill is re-referred to the Committee on Transportation. The original bill is placed on the Unfavorable Calendar.

H.B. 607, A BILL TO BE ENTITLED AN ACT TO CREATE THE WILMINGTON-NEW HANOVER LOCAL GOVERNMENT TASK FORCE, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 729, A BILL TO BE ENTITLED AN ACT TO ESTABLISH STANDARDS AND PROCEDURES FOR THE RECOVERY OF PUNITIVE DAMAGES IN CIVIL ACTIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 943, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A FORMER GOVERNOR OF THE STATE WHO HAS SERVED AS A MEMBER OF THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS SHALL BE A MEMBER EMERITUS OF THE BOARD OF GOVERNORS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 638, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF SANFORD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY AT PRIVATE SALE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 27.

H.B. 657, A BILL TO BE ENTITLED AN ACT MAKING SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN CHATHAM COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 662, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE MARTIN COUNTY BOARD OF EDUCATION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE

GENERAL ELECTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for April 27.

By Representative Neely for the Committee on Judiciary II:

H.B. 812, A BILL TO BE ENTITLED AN ACT TO REENACT, WITH MODIFICATIONS, CERTAIN MISDEMEANORS RELATING TO FIRES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative Robinson, Chair for the Standing Committee on Business and Labor, refers:

H.B. 281, A BILL TO BE ENTITLED AN ACT TO CREATE THE RESIDENTIAL PROPERTY DISCLOSURE ACT, to the Permanent Subcommittee on Travel and Tourism.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By House Committee on Appropriations:

H.B. 993, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, is referred to the Committee on Finance.

By House Committee on Appropriations:

H.B. 994, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY CHANGING VARIOUS REVENUE STATUTES, is referred to the

Committee on Finance.

By Representatives Wilkins, Black, Bowie, J. Brown, Cansler, Church, Crawford, Culpepper, Eddins, Hiatt, Hill, Hurley, Justus, Lemmond, Linney, Locke, McMahan, Mercer, K. Miller, Miner, Mitchell, Owens, Pate, Pulley, Rayfield, Redwine, Robinson, Rogers, Sharpe, Sherrill, Wainwright, Watson and G. Wilson:

H.B. 995, A BILL TO BE ENTITLED AN ACT TO STIMULATE A SUBSTANTIAL INCREASE IN VENTURE CAPITAL INVESTMENTS IN NORTH CAROLINA BY ALLOWING AN INSURANCE PREMIUMS TAX CREDIT FOR THESE INVESTMENTS, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Finance.

By Representatives Bowie, Easterling, Pulley, and Sherrill:

H.B. 996, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF SUMMIT HOUSE SERVICES, is referred to the Committee on Appropriations, Subcommittee on Human Resources.

By Representatives Hackney and Barnes:

H.B. 997, A BILL TO BE ENTITLED AN ACT TO ADD ACQUISITION OF LAND FOR LANDFILLS TO THE LIST OF PURPOSES FOR WHICH LOCAL GOVERNMENTS MAY ISSUE SPECIAL OBLIGATION BONDS OR OBTAIN FINANCING UNDER THE SOLID WASTE MANAGEMENT LOAN PROGRAM, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 408, A BILL TO BE ENTITLED AN ACT TO ALLOW EQUITY LINE OF CREDIT AGREEMENTS TO HAVE TERMS GREATER THAN FIFTEEN YEARS AND TO ESTABLISH A PROCEDURE FOR EXTENDING EQUITY LINE OF CREDIT LOAN AGREEMENTS, is read the first time and referred to the Committee on Financial Institutions.

S.B. 478, A BILL TO BE ENTITLED AN ACT TO COORDINATE ENFORCEMENT OF FEDERAL NURSING HOME REQUIREMENTS

WITH STATE REQUIREMENTS, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

CALENDAR

Action is taken on the following:

H.B. 766, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE UNIFORM THE LAWS REGARDING THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OLD.

Representative Brawley offers Amendment No. 3 which is adopted by electronic vote (97-10).

Representative Brawley calls the previous question on the passage of the bill and the call is sustained by electronic vote (62-45).

The bill, as amended, passes its third reading, by electronic vote (68-40), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 708,** A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ELECTRONICALLY MONITOR AND RECORD COMPLIANCE DATA OFF-SITE FROM SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES THAT USE HAZARDOUS WASTE AS A FUEL.

Representative Hackney offers Amendment No. 2 which fails of adoption by electronic (45-61).

The bill passes its third reading, by electronic vote (75-34), and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 492,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CLAYTON TO USE THE SINGLE-PRIME CONTRACTOR OR THE NEGOTIATION METHOD OF CONSTRUCTING THE HOCUTT-ELLINGTON LIBRARY ADDITION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 640,** A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL PURCHASE OF SUPPLIES BY THE GUILFORD COUNTY SCHOOLS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 788,** A BILL TO BE ENTITLED AN ACT TO INCLUDE HOSPITAL AND MEDICAL SERVICE CORPORATION PLANS UNDER THE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 881, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF TEACHER CERTIFICATION.

On motion of Representative Wood and without objection, consideration of the bill is postponed until May 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 773,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT ACCESS BY WOMEN TO OBSTETRICIAN-GYNECOLOGISTS, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 85,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NONPROFIT BARBER SCHOOLS HAVE ONE

INSTRUCTOR FOR EVERY TWENTY STUDENTS, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 891,** A BILL TO BE ENTITLED AN ACT TO ALLOW STATE EMPLOYEES TO MAKE FAIR AND REASONABLE PERSONAL USE OF STATE TELECOMMUNICATIONS EQUIPMENT IF SUCH USE DOES NOT RESULT IN COST TO THE STATE AND DOES NOT REDUCE EMPLOYEE PERFORMANCE.

On motion of Representative Reynolds and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 733, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW-ENFORCEMENT OFFICERS TO TAKE PHYSICAL CUSTODY OF JUVENILES SIXTEEN AND SEVENTEEN YEARS OF AGE WHO ARE BEYOND THE DISCIPLINARY CONTROL OF THEIR PARENTS AND ABSENT FROM HOME, passes its second reading by electronic vote (109-2).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 844,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAW.

On motion of Representative Barbee and without objection, consideration of the bill is postponed until May 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 456,** A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA PROGRESS BOARD, passes its second reading, by electronic vote (110-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Objection having been raised, pursuant to Rule 40(b), Committee Substitute for **H.B. 111,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INDEXING OF CERTAIN OFFENSES COMMITTED BY JUVENILES, TO PUBLISH THE IDENTITY OF CERTAIN JUVENILES WHO HAVE COMMITTED A-E FELONIES, TO MAINTAIN RECORDS OF CERTAIN JUVENILES, AND TO REQUIRE NOTIFICATION OF SCHOOL OFFICIALS IN CERTAIN CASES WHEN THE JUVENILE IS ADJUDICATED DELINQUENT, is removed from today's Consent Calendar and placed on the regular Calendar.

Representative Decker offers Amendment No. 1.

On motion of the Chair, the bill with pending Amendment No. 1 is temporarily displaced.

Committee Substitute for **H.B. 891,** A BILL TO BE ENTITLED AN ACT TO ALLOW STATE EMPLOYEES TO MAKE FAIR AND REASONABLE PERSONAL USE OF STATE TELECOMMUNICATIONS EQUIPMENT IF SUCH USE DOES NOT RESULT IN COST TO THE STATE AND DOES NOT REDUCE EMPLOYEE PERFORMANCE, which was temporarily displaced, is before the Body.

The bill passes its second reading by electronic vote (87-18).

Representative Allred objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 111,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INDEXING OF CERTAIN OFFENSES COMMITTED BY JUVENILES, TO PUBLISH THE IDENTITY OF CERTAIN JUVENILES WHO HAVE COMMITTED A-E FELONIES, TO MAINTAIN RECORDS OF CERTAIN JUVENILES, AND TO REQUIRE NOTIFICATION OF SCHOOL OFFICIALS IN CERTAIN CASES WHEN THE JUVENILE IS ADJUDICATED DELINQUENT, which was temporarily displaced with pending Amendment No. 1, is before the Body.

Amendment No. 1 fails of adoption by electronic vote (32-72).

The bill passes its second reading by electronic vote (105-5).

Representative Decker objects to the third reading. The bill remains on the Calendar.

CONFERENCE REPORT

Representative Cummings sends forth the Conference Report on **H.B. 146,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LUMBERTON TO ENACT ORDINANCES REGULATING THE TOWING OF MOTOR VEHICLES THAT HAVE BEEN ABANDONED AND ARE NOT COVERED BY FINANCIAL RESPONSIBILITY. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of April 27.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Sherrill for the Permanent Subcommittee on Boards and Commissions of the Standing Committee on State Government with approval of standing committee chair for report to be made directly to the floor of the House:

April 25, 1995

The Speaker and Members of the House
North Carolina General Assembly
State Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker and Members of the House:

In compliance with the provisions of G.S. 126-2 requiring appointees to the State Personnel Commission to be confirmed by the General Assembly, Governor Hunt has submitted his appointee, Ms. Judy M. Stephenson, for confirmation. The Governor has appointed Ms. Stephenson to replace Mr. Jeffrey Hunt who resigned. This term will begin July 1, 1995 and expires June 30, 2001.

The House Committee on Boards and Commissions has considered the appointment and makes the following recommendation to the General Assembly:

That the appointment of Judy M. Stephenson to the State Personnel Commission beginning July 1, 1995 and expiring June 30, 2001, be confirmed.

Respectfully submitted,
S/ Wilma Sherrill, Chair
House Committee on Boards and Commissions

The report is placed on the Calendar of April 27.

By Representative Wood for the Committee on Education:

Senate Committee Substitute for **H.B. 7,** A BILL TO BE ENTITLED AN ACT TO RESTORE CONSTITUTIONAL POWERS TO THE STATE BOARD OF EDUCATION AND TO MAKE CONFORMING AND TECHNICAL CHANGES, with recommendation that the House do not concur; request conferees.

The bill is placed on the Calendar for April 27.

By Representative Decker for the Committee on Local and Regional Government II:

Committee Substitute for **H.B. 160,** A BILL TO BE ENTITLED AN ACT TO CREATE A DRUG-FREE PUBLIC HOUSING ZONE BY PROVIDING AN ENHANCED PENALTY FOR DRUG OFFENSES NEAR PUBLIC HOUSING IN THE CITIES OF EAST SPENCER, SALISBURY, AND WINSTON-SALEM, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 615, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF STANFIELD, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance.

The original bill is placed on the Unfavorable Calendar.

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 63,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SPECIALTY LICENSE FOR TRANSPORT REFRIGERATION CONTRACTORS, TO CHANGE THE COMPOSITION OF THE LICENSING BOARD, TO INCREASE THE RENEWAL FEE, AND TO AMEND OTHER PROVISIONS OF THE LAW GOVERNING REFRIGERATION CONTRACTORS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 236, A BILL TO BE ENTITLED AN ACT TO REPEAL THE TWO PERCENT HEALTH INSURANCE PREMIUMS TAX, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 718, A BILL TO BE ENTITLED AN ACT TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 759, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A HOME FOR THE AGED, SICK, OR INFIRM WHOSE PROPERTY IS EXEMPT FROM PROPERTY TAX IS ALLOWED A REFUND OF STATE AND LOCAL SALES AND USE TAXES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Cummings for the Permanent Subcommittee on Preschool, Elementary and Secondary Education of the Standing Committee on Education with approval of standing committee chair for report to be made

directly to the floor of the House:

H.B. 834, A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR PARENTAL REVIEW OF AND TO PLACE CERTAIN RESTRICTIONS ON ANY INSTRUCTION ON SEXUALLY TRANSMITTED DISEASES OR OUT-OF-WEDLOCK PREGNANCY GIVEN AS PART OF A COMPREHENSIVE SCHOOL HEALTH PROGRAM; (2) TO MAKE CHANGES TO THE APPOINTMENTS TO THE STATE SCHOOL HEALTH ADVISORY COMMITTEE; (3) TO REQUIRE PUBLIC SCHOOLS TO OFFER AN ABSTINENCE UNTIL MARRIAGE PROGRAM; AND (4) TO AUTHORIZE LOCAL SCHOOL BOARDS TO OFFER COMPREHENSIVE SEX EDUCATION WHEN CERTAIN REQUIREMENTS CONCERNING REVIEW AND LOCAL APPROVAL ARE SATISFIED, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of the Chair, the committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 135, A BILL TO BE ENTITLED AN ACT TO MAKE CONFIDENTIAL ALL PHOTOGRAPHIC IMAGES RECORDED BY THE DIVISION OF MOTOR VEHICLES FOR DRIVERS LICENSES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 420, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE PROCEDURES FOR FILING AND MAINTAINING SHAREHOLDER DERIVATIVE SUITS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Tallent for the Committee on Financial Institutions:

S.B. 413, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONVERSION OF SAVINGS ASSOCIATIONS AND SAVINGS BANKS INTO COMMERCIAL BANKS, with a favorable report as to committee

substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 491,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE REGULATION OF WATER SUPPLY WATERSHEDS DOES NOT APPLY TO CERTAIN WATERSHEDS, is withdrawn from the Calendar and re-referred to the Committee on Health and Environment.

On motion of Representative Culpepper and without objection, **H.B. 373,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES, is withdrawn from the Calendar of May 3 and placed on the Calendar of April 27.

RE-REFERRALS

On motion of Representative Wood and without objection, **H.B. 890,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE EDUCATION REQUIREMENTS FOR REGISTERED SANITARIANS AND TO REQUIRE THE DEPARTMENT OF COMMUNITY COLLEGES TO ESTABLISH A PROGRAM TO INSTRUCT INDIVIDUALS WHO SEEK TO BECOME REGISTERED SANITARIANS, is withdrawn from the Committee on Education, Permanent Subcommittee on Community Colleges and Universities and re-referred to the Committee on Health and Environment.

On motion of Representative Wood and without objection, **H.B. 781,** A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE FUNDING OF K-12 LEGISLATIVE TUITION GRANTS TO PARENTS OF SCHOOL-AGED CHILDREN IN NORTH CAROLINA, is withdrawn from the Committee on Appropriations, Subcommittee on Education and re-referred to the Committee on Education.

On motion of Representative Morgan, seconded by Representative Pulley, the House adjourns at 3:43 p.m. to reconvene April 27 at 1:30 p.m.

FIFTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 27, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, we offer unto You grateful hearts for another week and lift to You those who may be ill among us that they may be made well. We thank You especially this week for those who are so essential and vital to our work, our secretaries. They are as basic as oxygen and as nourishing as life. They make the deserts of work and business blossom and grow. They take our mistakes and make us look good. Letters, files, briefs, phones, computers, faxes, E-mail too, toss in ample portions of UPS and Federal Express. An ear that listens to our gripes, a mouth that smiles at our vaunted pride, and eyes that see past our machoism to the uncertainties that hide inside. They absorb the wrath of angry constituents and smooth our public image with the press. They are the wind beneath our wings. Thank You, Father, for them all. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 26 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-0).

Leaves of absence are granted Representatives Alexander, Berry, Blue, Cunningham, Fitch, McAllister, Oldham, Richardson, Snowden, Wainwright, and Wright for today.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 527, AN ACT TO DIVIDE SUPERIOR COURT DISTRICT 11 INTO DISTRICTS 11A AND 11B. (CHAPTER 51)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Holmes, Creech, and Esposito for the Committee on Appropriations:

H.B. 229, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 505,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF GASTONIA, BELMONT, AND MOUNT HOLLY TO MAKE CERTAIN ASSESSMENTS OUTSIDE THE CORPORATE LIMITS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 578, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE SALISBURY GEOGRAPHICAL INFORMATION SYSTEM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 589, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT JAILERS, TELECOMMUNICATORS, CLERKS, AND OTHER EMPLOYEES DESIGNATED BY THE CATAWBA COUNTY BOARD OF COMMISSIONERS WHO ARE EMPLOYED BY THE CATAWBA COUNTY SHERIFF'S DEPARTMENT SHALL BE ELIGIBLE TO RECEIVE THE BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

The bill is re-referred to the Committee on Pensions and Retirement.

H.B. 650, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ALLOCATION OF THE PROCEEDS OF THE NEW HANOVER OCCUPANCY TAX, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 661, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF FILLING A VACANCY ON THE HALIFAX COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 1.

H.B. 663, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TRAPPING FOXES IN HALIFAX COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 1.

H.B. 676, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ESTABLISHMENT OF AN OUTER BANKS BEAUTIFICATION DISTRICT AND PROVIDE FOR THE LEVY AND COLLECTION OF PROPERTY TAXES IN THE DISTRICT, SUBJECT TO APPROVAL OF THE VOTERS OF THE DISTRICT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 679, A BILL TO BE ENTITLED AN ACT AMENDING THE

STATUTORY DEFINITION OF SUBDIVISION IN DAVIE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 1.

H.B. 697, A BILL TO BE ENTITLED AN ACT TO ALLOW AVERY COUNTY TO USE ITS OWN CREWS AND EQUIPMENT TO COMPLETE PHASE II OF ITS COMMUNITY RECREATION FACILITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 1.

H.B. 698, A BILL TO BE ENTITLED AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF GREENSBORO, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 1.

H.B. 724, A BILL TO BE ENTITLED AN ACT TO REPEAL THE WAKE COUNTY PREPARED FOOD AND BEVERAGE TAX, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Daughtry for the Committee on Judiciary I:

Committee Substitute for **H.B. 134,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MOTOR VEHICLE LAWS AND OTHER LAWS CONCERNING THE DEPARTMENT OF TRANSPORTATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 444, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDITIONAL SUPERIOR COURT JUDGESHIP AND FIVE ADDITIONAL ASSISTANT DISTRICT ATTORNEY POSITIONS FOR MECKLENBURG COUNTY AND TO APPROPRIATE FUNDS FOR THE MECKLENBURG COUNTY DRUG COURT PROGRAM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative Dockham for the Committee on Insurance:

H.B. 594, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH AND ACCIDENT INSURANCE AGAINST COVERAGE FOR PROCEDURES INVOLVING CERTAIN BONES OR JOINTS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 1.

By Representative Robinson for the Committee on Business and Labor:

H.B. 452, A BILL TO BE ENTITLED AN ACT TO AMEND THE PSYCHOLOGY PRACTICE ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Crawford, Fox, Locke, and Wilkins:

H.B. 998, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE MODEL TEACHER EDUCATION CONSORTIUM, is referred to the Committee on Appropriations.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
April 26, 1995

Mr. Speaker:

On **H.B. 146,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LUMBERTON TO ENACT ORDINANCES REGULATING THE TOWING OF MOTOR VEHICLES THAT HAVE BEEN ABANDONED AND ARE NOT COVERED BY FINANCIAL RESPONSIBILITY, it is

ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

H.B. 375, A BILL TO BE ENTITLED AN ACT TO REMOVE THE LIMITATION ON FUNDING FOR THE PER DIEM COSTS OF INMATES HOUSED OUT-OF-STATE, is returned for concurrence in Senate amendment and referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 65,** A BILL TO BE ENTITLED AN ACT TO REGULATE CHECK-CASHING BUSINESSES, is read the first time and referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 82,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF PROPERTY COLLECTIBLE BY SMALL ESTATE AFFIDAVIT WHERE THE SOLE HEIR AND/OR DEVISEE IS THE SURVIVING SPOUSE, TO INCREASE THE MINIMUM AMOUNT OF INTESTATE PERSONAL PROPERTY PASSING TO THE SURVIVING SPOUSE, AND TO INCREASE THE AMOUNT OF THE YEAR'S ALLOWANCE FOR A SURVIVING SPOUSE AND CHILDREN, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO INCREASE THE LIMITATION FOR FUNERAL EXPENSES, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 245,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OPENING OF EMPTY LOCK BOXES OF DECEDENTS OUTSIDE THE PRESENCE OF THE CLERK OF SUPERIOR

COURT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary I.

S.B. 303, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REMOVAL OF MEMBERS OF STATE BOARD OF COMMUNITY COLLEGES AFTER UNEXCUSED ABSENCES FROM THREE CONSECUTIVE SCHEDULED BOARD MEETINGS, is read the first time and referred to the Committee on Education.

S.B. 307, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SANITARY DISTRICTS TO HAVE THE RIGHT TO IMMEDIATE POSSESSION OF CERTAIN PROPERTY ACQUIRED BY EMINENT DOMAIN, is read the first time and referred to the Committee on Judiciary II.

S.B. 405, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE PERSONNEL ACT RELATING TO THE DEFINITION OF CAREER STATE EMPLOYEE, THE GROUNDS FOR STATE EMPLOYEE APPEALS, THE INVESTIGATORY DUTIES OF THE OFFICE OF STATE PERSONNEL, AND THE PRIORITY CONSIDERATION OF STATE EMPLOYEES IN FILLING VACANCIES; TO PROVIDE FOR THE ADOPTION OF AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE BY THE STATE PERSONNEL COMMISSION; AND TO ALLOW ALTERNATIVE OBSERVANCE OF THE NEW YEAR'S HOLIDAY, is read the first time and referred to the Committee on Public Employees.

Committee Substitute for **S.B. 582,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITIES OF WINSTON-SALEM AND WILMINGTON AND NEW HANOVER COUNTY TO REGULATE BY ORDINANCE THE POSSESSION OF MALT BEVERAGES AND UNFORTIFIED WINE, is read the first time and referred to the Committee on Local and Regional Government II.

CONFIRMATION OF STATE PERSONNEL COMMISSION APPOINTMENT

On motion of Representative Sherrill, the House confirms the appointment of Judy M. Stephenson to the State Personnel Commission by electronic vote (99-4).

The Senate is so notified by Special Message of the action taken by the

House.

CONFERENCE REPORT

Representative Cummings moves the adoption of the following Conference Report.

H.B. 146

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on **House Bill 146,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LUMBERTON TO ENACT ORDINANCES REGULATING THE TOWING OF MOTOR VEHICLES THAT HAVE BEEN ABANDONED AND ARE NOT COVERED BY FINANCIAL RESPONSIBILITY, Second Edition Engrossed 3/2/95, submit the following report:

The House concurs in Senate Amendment #1 with the following amendment: On page 1, line 4 of the amendment, add a double quotation mark at the beginning of the line, and on page 1, line 6 of the amendment, add a single quotation mark and a double quotation mark at the end of the line.

The conferees further recommend that the bill be amended on page 2, line 2, by striking through the period at the end of the line and inserting: " , or".

The Senate and House of Representatives agree to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: April 25, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ David R. Parnell	S/ F. M. Cummings
S/ Frank W. Ballance, Jr.	S/ Ronnie Sutton
S/ Luther H. Jordan, Jr.	S/ Douglas Y. Yongue

The Conference Report is adopted, by electronic vote (101-1), and the Senate is so notified by Special Message.

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled.

CALENDAR

Action is taken on the following:

H.B. 373, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES.

On motion of Representative Culpepper, the House does not concur in the Senate amendment, by electronic vote (101-3), and conferees are requested.

The Speaker appoints Representatives Culpepper, Lee, and Nichols as conferees on the part of the House and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 7,** A BILL TO BE ENTITLED AN ACT TO RESTORE CONSTITUTIONAL POWERS TO THE STATE BOARD OF EDUCATION AND TO MAKE CONFORMING AND TECHNICAL CHANGES.

On motion of Representative Russell, the House does not concur in the Senate committee substitute, by electronic vote (106-2), and conferees are requested.

The Speaker appoints Representative Russell, Chair; Representatives Wood, Barnes, and Eddins as conferees on the part of the House and the Senate is so notified by Special Message.

The Speaker states that his voting equipment malfunctioned and he is recorded as voting "aye" on the motion. The adjusted vote total is (107-1).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 659,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN DUPLIN COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 638, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF SANFORD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY AT PRIVATE SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 662, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE MARTIN COUNTY BOARD OF EDUCATION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute No. 2 for **H.B. 120,** A BILL TO BE ENTITLED AN ACT TO REVISE THE WINDOW TINTING LAWS.

Representative Ellis calls the previous question on the passage of the bill and the call is sustained by electronic vote (95-9).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Arnold, Barbee, Barnes, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Robinson, Rogers, Sexton, Sharpe, Shaw, Shubert, Sutton, Thompson, Tolson, Warner,

Watson, Weatherly, Wilkins, Womble, and Yongue - 91.

Voting in the negative: Representatives Allred, Baker, Grady, Hiatt, Lemmond, K. Miller, Owens, Russell, Sherrill, C. Wilson, G. Wilson, and Wood - 12.

Excused absences: Representatives Alexander, Berry, Blue, Cunningham, Fitch, McAllister, Oldham, Richardson, Snowden, Wainwright, and Wright - 11.

H.B. 762, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT DEPOSITIONS RECORDED BY SOUND-AND-VISUAL MEANS MUST BE TRANSCRIBED AND TO PROVIDE THAT, INSTEAD OF A TRANSCRIPTION, THE RECORDING MAY BE REVIEWED BY THE DEPONENT AND MAY BE USED AS THE COURT'S COPY OF THE DEPOSITION.

The bill, as amended, passes its third reading, by electronic vote (97-2), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 891,** A BILL TO BE ENTITLED AN ACT TO ALLOW STATE EMPLOYEES TO MAKE FAIR AND REASONABLE PERSONAL USE OF STATE TELECOMMUNICATIONS EQUIPMENT IF SUCH USE DOES NOT RESULT IN COST TO THE STATE AND DOES NOT REDUCE EMPLOYEE PERFORMANCE.

Representative Reynolds offers Amendment No. 1 which is adopted by electronic vote (98-0).

The bill, as amended, passes its third reading, by electronic vote (52-48), and is ordered engrossed and sent to the Senate.

H.B. 733, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW-ENFORCEMENT OFFICERS TO TAKE PHYSICAL CUSTODY OF JUVENILES SIXTEEN AND SEVENTEEN YEARS OF AGE WHO ARE BEYOND THE DISCIPLINARY CONTROL OF THEIR PARENTS AND ABSENT FROM HOME.

On motion of the Chair and without objection, the bill is temporarily displaced.

Committee Substitute for **H.B. 111,** A BILL TO BE ENTITLED AN

ACT TO PROVIDE FOR THE INDEXING OF CERTAIN OFFENSES COMMITTED BY JUVENILES, TO PUBLISH THE IDENTITY OF CERTAIN JUVENILES WHO HAVE COMMITTED A-E FELONIES, TO MAINTAIN RECORDS OF CERTAIN JUVENILES, AND TO REQUIRE NOTIFICATION OF SCHOOL OFFICIALS IN CERTAIN CASES WHEN THE JUVENILE IS ADJUDICATED DELINQUENT.

Representative Shubert offers Amendment No. 2 which is adopted by electronic vote (89-8).

Representative Decker offers Amendment No. 3.

Representative Decker calls the previous question on the amendment and the call is sustained by electronic vote (90-5).

Amendment No. 3 fails of adoption by electronic vote (41-58).

Representative K. Miller offers Amendment No. 4.

On motion of Representative Daughtry and without objection, consideration of the bill along with pending Amendment No. 4 is postponed until May 5.

H.B. 733, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW-ENFORCEMENT OFFICERS TO TAKE PHYSICAL CUSTODY OF JUVENILES SIXTEEN AND SEVENTEEN YEARS OF AGE WHO ARE BEYOND THE DISCIPLINARY CONTROL OF THEIR PARENTS AND ABSENT FROM HOME, which was temporarily displaced, is before the Body.

Representative G. Miller moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (84-14).

The motion to re-refer fails by electronic vote (31-69).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (85-14).

The bill passes its third reading, by electronic vote (78-20), and is ordered

sent to the Senate.

Representative Rayfield states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (79-20).

REPORT OF SELECT COMMITTEE ON TORT REFORM

To: The Honorable Harold J. Brubaker, Speaker
House of Representatives

From: Representative N. Leo Daughtry, Chairman Select
Committee on Tort Reform

Re: REPORT OF THE SELECT COMMITTEE ON TORT REFORM
HOUSE BILL 730

The following members being present are:
Representative N. Leo Daughtry, Chairman
Representative Dewey L. Hill
Representative Larry T. Justus
Representative Larry Linney
Representative George W. Miller, Jr.
Representative David Miner
Representative Richard T. Morgan
Representative Charles B. Neely, Jr.
Representative Billy Richardson
Representative Fern H. Shubert
Representative Carolyn B. Russell

As chairman of the Select Committee on Tort Reform and on behalf of the membership of the Select Committee, I report that the Committee met in session on April 26, 1995. We have reviewed and considered the contents of House Bill 730 assigned to our committee and are ready to make the following recommendation:

HOUSE BILL 730 A BILL TO BE ENTITLED AN ACT TO PREVENT FRIVOLOUS MALPRACTICE ACTIONS BY REQUIRING THAT EXPERT WITNESSES IN MEDICAL MALPRACTICE CASES HAVE APPROPRIATE QUALIFICATIONS TO TESTIFY ON THE STANDARD OF CARE AT ISSUE AND TO REQUIRE EXPERT WITNESS REVIEW AS A CONDITION OF FILING A MALPRACTICE ACTION. With a favorable

recommendation as to the proposed committee substitute bill, unfavorable as to the original bill.

S/ Representative N. Leo Daughtry

Without objection, the Chair forwards the report and the bill to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Miner for the Committee on Transportation:

H.B. 243, A BILL TO BE ENTITLED AN ACT TO CREATE A NEW OFFENSE OF TRESPASSING ON RAILROAD RIGHTS-OF-WAY, TO INCREASE THE PENALTY FOR FAILURE TO OBEY RAILROAD SIGNALS, AND TO OTHERWISE IMPROVE SAFETY AT RAILROAD CROSSINGS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Wood for the Committee on Education:

H.B. 210, A BILL TO BE ENTITLED AN ACT TO PHASE OUT TEACHER TENURE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Buchanan for the Permanent Subcommittee on Military, Veterans and Indian Affairs of the Standing Committee on State Government with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 841, A BILL TO BE ENTITLED AN ACT TO REDUCE THE MINIMUM NUMBER OF BEDS IN THE STATE VETERANS HOME TO

BE CONSTRUCTED IN FAYETTEVILLE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 1.

SUBCOMMITTEE REFERRAL

Representatives Creech, Holmes, and Esposito, Co-Chairs for the Standing Committee on Appropriations, refer:

H.B. 834, A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR PARENTAL REVIEW OF AND TO PLACE CERTAIN RESTRICTIONS ON ANY INSTRUCTION ON SEXUALLY TRANSMITTED DISEASES OR OUT-OF-WEDLOCK PREGNANCY GIVEN AS PART OF A COMPREHENSIVE SCHOOL HEALTH PROGRAM; (2) TO MAKE CHANGES TO THE APPOINTMENTS TO THE STATE SCHOOL HEALTH ADVISORY COMMITTEE; (3) TO REQUIRE PUBLIC SCHOOLS TO OFFER AN ABSTINENCE UNTIL MARRIAGE PROGRAM; AND (4) TO AUTHORIZE LOCAL SCHOOL BOARDS TO OFFER COMPREHENSIVE SEX EDUCATION WHEN CERTAIN REQUIREMENTS CONCERNING REVIEW AND LOCAL APPROVAL ARE SATISFIED, to the Permanent Subcommittee on Human Resources.

RE-REFERRALS

On motion of Representative Neely and without objection, pursuant to Rule 39.2, **H.B. 846,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT STATE LEGISLATIVE AND CONGRESSIONAL REDISTRICTING PLANS MAY NOT DIVIDE PRECINCTS UNLESS A PLAN HAS BEEN REJECTED UNDER SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AND IF SO REJECTED, ONLY THE MINIMUM NUMBER OF PRECINCTS ARE DIVIDED IN A SUBSEQUENT PLAN AS ARE REQUIRED TO OBTAIN APPROVAL, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

On motion of Representative Neely and without objection, pursuant to Rule 39.2, **H.B. 87,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION TO BUNK INMATES IN SHIFTS, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

On motion of Representative Morgan, seconded by Representative Rayfield, the House adjourns at 3:53 p.m. to reconvene Monday, May 1, 1995, at 7:00 p.m.

FIFTY-FIFTH DAY

HOUSE OF REPRESENTATIVES

Monday, May 1, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, all of our hearts reach out as one to the Snowden family during this sacred and delicate time in their lives. As they confront this mystery called death, may Your presence bring the assurance of life, and may Your peace bring strength for each day. May each memory be a fragrance that enhances faith and proves the eternalness of love. Thank You for our weekend at home, but duty calls and here we are back in Raleigh again. We're about half way down the course, Father, and I feel the pressure beginning to mount. Keep us steady in committee, and on the floor. Help us to kill the bills that need to be put to rest, and to keep alive those that are good. When the stress gets too hot in the Legislative kitchen, teach us to take minute walks in the breezeway of our minds; and remember like:

'My Daddy showed me rainbows on butterfly wings
And how You lift the dawn with invisible strings,
And to cherish each moment when my Mama sings'

and to take all these rememberings whenever I'd think of heavenly things. Bless our Speaker, these Pages, each one of us, our clerical staff, House officers all, and may we do a good job this week for the people of North Carolina and for You through Christ our Lord. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 27 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-0).

Leaves of absence are granted Representatives Berry, Hill, R. Hunter, G. Miller, Robinson, and Wood for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

May 1, 1995

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 62-15, I hereby re-appoint Robert P. Gruber as Executive Director of the Public Staff of the North Carolina Utilities Commission and submit his name for confirmation by the North Carolina General Assembly. Mr. Gruber will serve a term to begin July 1, 1995 and to expire June 30, 2001.

Mr. Gruber has served ably during his two previous terms in his position and I am confident he will continue to represent the public well. Biographical information on Mr. Gruber is enclosed. Please feel free to call on him or my staff for additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

The Speaker refers the letter to the Committee on Public Utilities.

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

May 1, 1995

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 62-10, I hereby appoint Jo Anne Sanford as a member of the North Carolina Utilities Commission and submit her name for confirmation by the North Carolina General Assembly. Ms. Sanford will serve a term to begin July 1, 1995 and to expire June 30, 2003.

Ms. Sanford has served with distinction as Special Deputy Attorney General in charge of the Department of Justice section which includes jurisdiction on utilities matters. Biographical information on Ms. Sanford is enclosed. Please feel free to call on her or my staff for additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

The Speaker refers the letter to the Committee on Public Utilities.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 137, AN ACT TO MODIFY THE MEMBERSHIP OF THE ROCKINGHAM TOURISM DEVELOPMENT AUTHORITY. (CHAPTER 52)

H.B. 146, AN ACT TO ALLOW THE CITY OF LUMBERTON TO ENACT ORDINANCES REGULATING THE TOWING OF MOTOR VEHICLES THAT HAVE BEEN ABANDONED AND ARE NOT COVERED BY FINANCIAL RESPONSIBILITY. (CHAPTER 53)

H.B. 212, AN ACT TO AUTHORIZE THE CITY OF GREENSBORO

TO USE THE SINGLE-PRIME CONTRACT SYSTEM FOR THE EXPANSION OF SEWAGE TREATMENT FACILITIES. (CHAPTER 54)

H.B. 343, AN ACT TO CLARIFY THE LAW ON HUNTING WITH DOGS IN ANSON COUNTY. (CHAPTER 55)

H.B. 493, AN ACT TO REPEAL A LOCAL ACT MODIFYING THE VOTE REQUIRED FOR PRIVATE SALE OF PROPERTY BY THE CITY OF GREENSBORO FOR PUBLIC PURPOSES. (CHAPTER 56)

H.B. 529, AN ACT TO AUTHORIZE THE RECREATION COMMISSION OF THE TOWN OF LINCOLNTON TO CONVEY BY PRIVATE SALE CERTAIN PROPERTY TO THE CITY OF LINCOLNTON. (CHAPTER 57)

H.B. 553, AN ACT TO REPEAL A LOCAL ACT REQUIRING HARNETT COUNTY'S ANIMAL CONTROL OFFICERS TO PERFORM THEIR DUTIES UNDER THE SUPERVISION AND CONTROL OF THE HARNETT COUNTY HEALTH DIRECTOR. (CHAPTER 58)

H.B. 604, AN ACT TO AUTHORIZE THE TOWN OF SUNSET BEACH TO REGULATE AND CONTROL DEBRIS AND OTHER MATERIALS RESULTING FROM BOATING ACCIDENTS. (CHAPTER 59)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 140, A BILL TO BE ENTITLED AN ACT TO REVISE THE PENALTIES FOR DRIVING A VEHICLE WITHOUT INSURANCE, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 496, A BILL TO BE ENTITLED AN ACT TO CREATE AN OFFENSE FOR ASSAULTING A SCHOOL BUS DRIVER, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 634, A BILL TO BE ENTITLED AN ACT RELATING TO THE AUTHORITY AND JURISDICTION OF CITY LAW ENFORCEMENT OFFICERS WHILE TRANSPORTING PERSONS IN CUSTODY WITHIN THE STATE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 770, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF COUNTY SERVICE DISTRICTS FOR LAW ENFORCEMENT SERVICES AND TO CHANGE THE REQUIREMENTS FOR CREATION OF DISTRICTS COVERING THE ENTIRE UNINCORPORATED AREA OF A COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 10, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE TO THE PEOPLE THE POWER OF INITIATIVE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 490, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNUAL REPORTS OF CORPORATIONS, NONPROFIT CORPORATIONS, AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE

SECRETARY OF STATE, TO ESTABLISH FEES FOR EXPEDITED FILINGS, AND TO ALLOW THE SECRETARY OF STATE TO RETAIN FILED DOCUMENTS IN REPRODUCED FORM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Aldridge for the Permanent Subcommittee on Aging of the Standing Committee on Welfare Reform and Human Resources with approval of standing committee chairs for report to be made directly to the floor of the House:

H.B. 332, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE NURSING HOME PENALTY ASSESSMENT LAW, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Having received a unanimous vote in committee, the committee substitute bill is placed on the Consent Calendar of May 3. The original bill is placed on the Unfavorable Calendar.

H.B. 378, A BILL TO BE ENTITLED AN ACT TO RESOLVE POSSIBLE CONFLICT IN LAWS REGARDING TEMPORARY MANAGEMENT OF LONG-TERM CARE FACILITIES AND STATE/COUNTY SPECIAL ASSISTANCE FOR ADULTS, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar of May 3.

H.B. 380, A BILL TO BE ENTITLED AN ACT TO REPEAL THE TWELVE THOUSAND DOLLAR EXCLUSION LIMITATION ON CERTAIN PROPERTY FOR PURPOSES OF DETERMINING ELIGIBILITY FOR THE STATE/COUNTY SPECIAL ASSISTANCE TO ADULTS PROGRAM, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar of May 3.

H.B. 756, A BILL TO BE ENTITLED AN ACT TO AID IN ENSURING THAT RESIDENTS IN DOMICILIARY CARE HOMES ARE IN SAFE AND WELL-MANAGED FACILITIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

H.B. 868, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FUND IN THE DEPARTMENT OF HUMAN RESOURCES TO PROVIDE GRANTS TO LICENSED PRIVATE CHILD-PLACING AGENCIES TO PLACE MORE HARD-TO-PLACE CHILDREN, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Robinson for the Committee on Business and Labor:

H.B. 422, A BILL TO BE ENTITLED AN ACT TO PROMOTE ECONOMIC DEVELOPMENT BY REMOVING TECHNICAL REQUIREMENTS FOR THE FORMATION OF NORTH CAROLINA ENTERPRISE CORPORATIONS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 837, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TIME LIMIT WITHIN WHICH MOTOR VEHICLE MANUFACTURERS AND DISTRIBUTORS MAY AUDIT AND CHARGEBACK DEALERS FOR WARRANTY REPAIRS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 90,** A BILL TO BE ENTITLED AN ACT

TO PROVIDE THAT A PERSON WHO MEETS SPECIFIED STATUTORY CRITERIA MAY CARRY A CONCEALED HANDGUN IF THE PERSON HAS OBTAINED A CONCEALED HANDGUN PERMIT, TO AUTHORIZE SHERIFFS TO AUTHORIZE ISSUANCE OF CONCEALED HANDGUN PERMITS, TO ESTABLISH THE CRITERIA THAT MUST BE SATISFIED TO RECEIVE THE PERMIT, TO ESTABLISH THE PROCEDURE FOR THE ISSUANCE OF A CONCEALED HANDGUN PERMIT, AND TO MAKE CONFORMING STATUTORY CHANGES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar for May 2. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 802, A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPROCAL BID PREFERENCES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Allred for the Permanent Subcommittee on Economic Expansion and Growth:

H.B. 825, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS, reported to the Standing Committee on Business and Labor with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

By Representative G. Wilson for the Permanent Subcommittee on Labor Relations and Employment:

H.B. 447, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN AMBULANCE PROVIDER LICENSE, reported to the Standing Committee on Business and Labor with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

SUBCOMMITTEE REFERRAL

Representative Wood, Chair for the Standing Committee on Education, refers:

H.B. 487, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PILOT PROGRAMS IN WHICH STUDENTS ARE REQUIRED TO WEAR UNIFORMS IN PUBLIC SCHOOLS, to the Permanent Subcommittee on Preschool Elementary, and Secondary Education.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representatives Hayes and Gardner for the Permanent Subcommittee on Human Resources of the Standing Committee on Appropriations with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 834,** A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR PARENTAL REVIEW OF AND TO PLACE CERTAIN RESTRICTIONS ON ANY INSTRUCTION ON SEXUALLY TRANSMITTED DISEASES OR OUT-OF-WEDLOCK PREGNANCY GIVEN AS PART OF A COMPREHENSIVE SCHOOL HEALTH PROGRAM; (2) TO MAKE CHANGES TO THE APPOINTMENTS TO THE STATE SCHOOL HEALTH ADVISORY COMMITTEE; (3) TO REQUIRE PUBLIC SCHOOLS TO OFFER AN ABSTINENCE UNTIL MARRIAGE PROGRAM; AND (4) TO AUTHORIZE LOCAL SCHOOL BOARDS TO OFFER COMPREHENSIVE SEX EDUCATION WHEN CERTAIN REQUIREMENTS CONCERNING REVIEW AND LOCAL APPROVAL ARE SATISFIED, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 2.

INTRODUCTION OF PAGES

Pages for the week of May 1-5 are introduced to the membership. They are: Darren Cates of Forsyth; Janell "J" Chapman of Wayne; Kristi Cooke of Wake; Jill Dyson of Rockingham; Joe Eggleston of Johnston; D'Jella Gray of Guilford; Sybil Gregory of Mecklenburg; Stephanie Hardin of Haywood; Justin Harris of Henderson; Eric Hawkins of Henderson; Clayton Kirk of

Rowan; Jeremy Lawson of Forsyth; Jennifer Moore of Rockingham; Meagan Patterson of Davidson; Kimberly Pilson of Forsyth; Jodie Richter of Forsyth; Heather Sauls of Wake; Duval Smith of Johnston; and Lindsay Wrenn of Person.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Boyd-McIntyre, Adams, Blue, Braswell, Culp, Cunningham, Earle, Easterling, H. Hunter, McAllister, Nye, Oldham, Redwine, Sharpe, Shaw, Womble, and Wood:

H.B. 999, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LAND ACQUISITION FOR NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Sharpe, Adams, Allred, Baker, Cocklereece, Culp, Decker, Hiatt, and Pulley:

H.B. 1000, A BILL TO BE ENTITLED AN ACT TO REAFFIRM THE STATE'S COMMITMENT TO CONTINUE THE CENTRAL NORTH CAROLINA SCHOOL FOR THE DEAF, TO REDRAW THE REGIONAL RESIDENTIAL ATTENDANCE ZONE SERVED BY THE CENTRAL NORTH CAROLINA SCHOOL FOR THE DEAF, TO ESTABLISH A HIGH SCHOOL AT THE CENTRAL NORTH CAROLINA SCHOOL FOR THE DEAF, TO REQUIRE THAT THE LEGISLATIVE RESEARCH COMMISSION STUDY THE ISSUE OF THE FUTURE OF THE SCHOOLS FOR THE DEAF AND OF THE DIVISION OF SERVICES FOR THE DEAF AND HARD OF HEARING, AND TO APPROPRIATE FUNDS, is referred to the Committee on Appropriations.

By Representatives Allred, Daughtry, Hill, and Pulley:

H.B. 1001, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NONCOMMERCIAL MOTOR VEHICLES MORE THAN THIRTY YEARS OLD ARE EXEMPT FROM PROPERTY TAX, is referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
April 27, 1995

Mr. Speaker:

Pursuant to your message received Thursday, April 27, 1995, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 7** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE CONSTITUTIONAL POWERS TO THE STATE BOARD OF EDUCATION AND TO MAKE CONFORMING AND TECHNICAL CHANGES, which proposes to change the title, upon concurrence, to read **H.B. 7** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUTES SO AS TO STREAMLINE THE OPERATIONS OF THE STATE EDUCATION AGENCY, and requests conferees, the President Pro Tempore appoints:

Senate Perdue, Chairman
Senator Plexico
Senator Winner
Senator Little

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
April 27, 1995

Mr. Speaker:

Pursuant to your message received Thursday, April 27, 1995, that the House of Representatives fails to concur in Senate Amendment No. 1 to

H.B. 373, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES, which proposes to change the title, upon concurrence, to read **H.B. 373,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES AND TO PROHIBIT THE TAKING OF DEER WITH DOGS IN A PORTION OF RICHMOND COUNTY, and requests conferees, the President Pro Tempore appoints:

Senator Jordan, Chairman
Senator Conder
Senator Plyler
Senator Carrington

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 295,** A BILL TO BE ENTITLED AN ACT TO ENACT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO CLARIFY THE AUTHORITY OF THE BUILDING CODE COUNCIL TO ADOPT PROVISIONS REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF SMOKE DETECTORS, is read the first time and referred to the Committee on Business and Labor.

S.B. 318, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TIME REQUIREMENT FOR THE UPDATING OF THE PLAN FOR SERVING OLDER ADULTS, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

S.B. 332, A BILL TO BE ENTITLED AN ACT TO RAISE THE MAXIMUM LATE PAYMENT CHARGE FOR REVOLVING CREDIT

LOANS, is read the first time and referred to the Committee on Financial Institutions.

S.B. 470, A BILL TO BE ENTITLED AN ACT TO CREATE THE GOOD FUNDS SETTLEMENT ACT, is read the first time and referred to the Committee on Financial Institutions.

Committee Substitute for **S.B. 521,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING OF NOTICES OF LIS PENDENS IN THE ENFORCEMENT OF HOUSING AND BUILDING STANDARDS BY CITIES AND COUNTIES, is read the first time and referred to the Committee on Judiciary I.

S.B. 544, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A PUBLIC HEARING BE HELD PRIOR TO THE APPROVAL OF AN APPLICATION FOR A NEW PERMIT, THE RENEWAL OF A PERMIT, OR A SUBSTANTIAL AMENDMENT TO A PERMIT FOR A TRANSFER STATION, is read the first time and referred to the Committee on Health and Environment.

S.B. 686, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE VOTING AUTHORITY OF MEMBERS OF THE STATE BANKING COMMISSION, is read the first time and referred to the Committee on Financial Institutions.

S.B. 755, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DESIGNATED LEGISLATIVE MEMBERSHIP OF THE COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Preston and without objection, Committee Substitute for **H.B. 951,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTICIPATION IN THE BEAVER DAMAGE CONTROL PILOT PROGRAM BY CARTERET COUNTY, is withdrawn from the Calendar and re-referred to the Committee on Health and Environment.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 231, A BILL TO BE ENTITLED AN ACT TO REQUEST THE SUPREME COURT TO ADOPT A PLAN TO ADMINISTER JUSTICE WITHOUT DELAY IN NORTH CAROLINA TRIAL COURTS, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hurley and without objection, **H.B. 841,** A BILL TO BE ENTITLED AN ACT TO REDUCE THE MINIMUM NUMBER OF BEDS IN THE STATE VETERANS HOME TO BE CONSTRUCTED IN FAYETTEVILLE, is withdrawn from the Calendar and placed on the Calendar of May 3.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 473, A BILL TO BE ENTITLED AN ACT TO MAKE PROCEDURAL CHANGES AND TECHNICAL CORRECTIONS TO THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT, TO ALLOW RETROACTIVE INDEMNIFICATION OF A MANAGER OR MEMBER OF A LIMITED LIABILITY COMPANY, AND TO EXTEND THE USURY EXEMPTION TO LIMITED LIABILITY COMPANIES AND PARTNERSHIPS.

Representative R. Hunter offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its second reading by electronic vote (109-1).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 280,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF CERTAIN PYROTECHNICS TO

PERSONS UNDER THE AGE OF SIXTEEN AND TO PROHIBIT THE DISCHARGE OF PYROTECHNICS WITHIN ONE HUNDRED FEET OF WOODLANDS, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

Representative Hightower moves that the bill be withdrawn from the Calendar and placed on the Calendar of May 2.

Representative Hightower withdraws his motion.

On motion of Representative Ellis, the bill is temporarily displaced.

On motion of the Chair, Committee Substitute for **H.B. 361,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO PLEDGE BLOCK GRANT FUNDS AS LOAN GUARANTEES PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT, which was calendared pursuant to Rule 36(a), is temporarily displaced.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 321, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO ADOPT ELIGIBILITY RULES FOR INTERSCHOLASTIC ATHLETIC COMPETITION, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 264, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF BETHANIA.

Representative Decker offers Amendment No. 1 which is adopted by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler,

Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 101.

Voting in the negative: Representative Nichols.

Excused absences: Representatives Berry, Hill, G. Miller, Robinson, and Wood - 5.

The Chair rules the amendment to be material, thus constituting the first reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 618,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE THRESHOLD AT WHICH MECKLENBURG COUNTY AND THE MUNICIPALITIES WITHIN THE COUNTY MAY USE FORCE ACCOUNT QUALIFIED LABOR, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 661, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF FILLING A VACANCY ON THE HALIFAX COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 663, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TRAPPING FOXES IN HALIFAX COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 679, A BILL TO BE ENTITLED AN ACT AMENDING THE

STATUTORY DEFINITION OF SUBDIVISION IN DAVIE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 697, A BILL TO BE ENTITLED AN ACT TO ALLOW AVERY COUNTY TO USE ITS OWN CREWS AND EQUIPMENT TO COMPLETE PHASE II OF ITS COMMUNITY RECREATION FACILITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 698, A BILL TO BE ENTITLED AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF GREENSBORO, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 657,** A BILL TO BE ENTITLED AN ACT MAKING SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN CHATHAM COUNTY.

Representative Hackney offers Amendment No. 1 which fails of adoption by electronic vote (48-62).

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 280,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF CERTAIN PYROTECHNICS TO PERSONS UNDER THE AGE OF SIXTEEN AND TO PROHIBIT THE DISCHARGE OF PYROTECHNICS WITHIN ONE HUNDRED FEET OF WOODLANDS, which was temporarily displaced, is before the Body.

The bill passes its third reading, by electronic vote (104-3), and is ordered sent to the Senate.

Committee Substitute for **H.B. 361,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO

PLEDGE BLOCK GRANT FUNDS AS LOAN GUARANTEES PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT, which was temporarily displaced, is before the Body.

Representative Robinson offers Amendment No. 1 which is adopted by electronic vote (105-1).

The bill, as amended, passes its second reading by electronic vote (112-1).

Representative R. Hunter objects to the third reading. The bill remains on the Calendar.

H.B. 877, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE END-OF-COURSE AND END-OF-GRADE TESTS AND TO DIRECT THE STATE BOARD OF EDUCATION TO RECOMMEND ALTERNATIVE METHODS OF ASSESSING STUDENT PERFORMANCE, passes its second reading by electronic vote (106-5).

Representative Barnes objects to the third reading. The bill remains on the Calendar.

Committee Substitute No. 2 for **H.B. 120,** A BILL TO BE ENTITLED AN ACT TO REVISE THE WINDOW TINTING LAWS.

Representative Ellis offers Amendment No. 1 which is adopted by electronic vote (110-2).

Representative Allred offers Amendment No. 2.

On motion of Representative Ellis, seconded by Representative Barnes, Amendment No. 2 is tabled by electronic vote (73-31).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Barbee, Barnes, Beall, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Holmes, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser,

Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Weatherly, C. Wilson, Womble, Wright and Yongue - 93.

Voting in the negative: Representatives Allred, Baker, Black, Church, Decker, Fox, Gardner, Hiatt, Howard, Linney, K. Miller, Nichols, Owens, Sherrill, Wainwright, Watson, Wilkins, and G. Wilson - 18.

Excused absences: Representatives Berry, Hill, G. Miller, and Wood - 4.

Committee Substitute for **H.B. 111,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INDEXING OF CERTAIN OFFENSES COMMITTED BY JUVENILES, TO PUBLISH THE IDENTITY OF CERTAIN JUVENILES WHO HAVE COMMITTED A-E FELONIES, TO MAINTAIN RECORDS OF CERTAIN JUVENILES, AND TO REQUIRE NOTIFICATION OF SCHOOL OFFICIALS IN CERTAIN CASES WHEN THE JUVENILE IS ADJUDICATED DELINQUENT, is before the Body with Amendment No. 4 pending.

Amendment No. 4, offered by Representative K. Miller, fails of adoption by electronic vote (25-81).

The bill, as amended, passes its third reading, by electronic vote (105-5), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 729,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH STANDARDS AND PROCEDURES FOR THE RECOVERY OF PUNITIVE DAMAGES IN CIVIL ACTIONS.

Representative Alexander offers Amendment No. 1.

Representative Alexander calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 1 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Braswell, W. Brown, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Hackney, Hensley, Hightower,

Hunt, H. Hunter, R. Hunter, Lee, Linney, Luebke, McAllister, McCrary, McLaughlin, Michaux, Oldham, Ramsey, Richardson, Shaw, Sutton, Tolson, Wainwright, Warner, Watson, Womble, Wright, and Yongue - 40.

Voting in the negative: Representatives Allred, Arnold, Barbee, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Crawford, Creech, Culp, Cummings, Daughtry, Davis, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Locke, McComas, McCombs, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Weatherly, Wilkins, C. Wilson, and G. Wilson - 64.

Excused absences are: Representatives Berry, Hill, G. Miller, and Wood - 4.

Representative Baker states that his voting equipment malfunctioned and he requests to be recorded as voting "no". This request is granted. The adjusted vote total is (40-65).

Representative Blue offers Amendment No. 2 which fails of adoption by electronic vote (41-67).

Representative Michaux offers Amendment No. 3 which fails of adoption by electronic vote (39-65).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (83-27).

The bill passes its second reading by electronic vote (74-37).

Representative Blue objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 943,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A FORMER GOVERNOR OF THE STATE WHO HAS SERVED AS A MEMBER OF THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS SHALL BE A MEMBER EMERITUS OF THE BOARD OF GOVERNORS AND TO PROHIBIT THE BOARD OF GOVERNORS FROM ELECTING A CHAIRMAN BETWEEN THE TIME THAT THE GENERAL ASSEMBLY ELECTS MEMBERS AND THOSE MEMBERS TAKE OFFICE, passes its second reading by electronic

vote (85-24).

Representative Hensley objects to the third reading. The bill remains on the Calendar.

Committee Substitute No. 2 for **H.B. 812,** A BILL TO BE ENTITLED AN ACT TO REENACT, WITH MODIFICATIONS, CERTAIN MISDEMEANORS RELATING TO FIRES, passes its second reading, by electronic vote (101-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 420,** A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE PROCEDURES FOR FILING AND MAINTAINING SHAREHOLDER DERIVATIVE SUITS, passes its second reading by electronic vote (103-4).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

H.B. 594, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH AND ACCIDENT INSURANCE AGAINST COVERAGE FOR PROCEDURES INVOLVING CERTAIN BONES OR JOINTS.

On motion of Representative Black, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered engrossed and sent to the Senate.

DELEGATION ANNOUNCED

The Speaker announces the following delegation who attended the memorial service of Representative Macon Snowden, who died Thursday, April 27, 1995: Speaker Brubaker; Representatives Hayes, Gray, Creech, Esposito, Preston, Watson, Grady, Morgan, Nichols, McComas, Pate, Locke, Lemmond, and Edwards.

RE-REFERRAL

On motion of Representative Daughtry and without objection, **H.B. 720,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STRUCTURED SENTENCING ACT TO INCREASE THE PENALTIES FOR MOST FELONIES AND MISDEMEANORS, AMEND THE FELONY PRIOR RECORD LEVEL SCHEDULE, CHANGE THE TYPES OF ALTERNATIVE PENALTIES AVAILABLE AS INTERMEDIATE PUNISHMENTS, AMEND THE LIST OF AGGRAVATING MITIGATING FACTORS, AMEND THE CONDITIONS THAT MAY BE IMPOSED FOR POST-RELEASE SUPERVISION AND PROBATION, AND REPEAL PROBATION CASELOAD GOALS, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative Sherrill, the House adjourns, in memory and honor of our departed colleague Macon Snowden, at 9:58 p.m. to reconvene May 2 at 2:00 p.m.

FIFTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 2, 1995

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, we are so involved in the mundane, the fiscal, the technical, and the political that we sometimes feel like coalition robots or participants in campaign gymnastics. Words, words, words, the lobbyist, constituents, the press debate. But this is the politicians world and this is where I wanted to be, but this morning I needed a break, and so at dawn I opened the window to listen, to listen to the music of the birds. The red bird's sharp pert chirp, 'I'm pretty, I'm pretty', the gnatcatchers trilled 'to wee, to wee', the mockingbird blew into a Victor Borge' concert. The Jay dipped a bit off key, and the bluebird twittered a shy lullaby. Have mercy on that old Crow Lord, he sounded like old man Deaf in the choir. Gotta run now Lord, that committee meets at seven thirty, this tie looks okay. Sure, I can debate

this bill. Yes, Lord, I'm glad to be here in Raleigh, in the House, but I'm glad too, that You made the birds. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 1 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (78-1).

Leaves of absence are granted Representatives G. Miller and Tallent for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 321, AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO ADOPT ELIGIBILITY RULES FOR INTERSCHOLASTIC ATHLETIC COMPETITION. (CHAPTER 60)

H.B. 248, AN ACT TO CLARIFY THAT UNION COUNTY AND COLUMBUS COUNTY MAY ASSESS A FIRE PROTECTION FEE ON CERTAIN MOBILE HOMES. (CHAPTER 61)

H.B. 331, AN ACT TO ALLOW DISABLED PERSONS TO APPLY TO THE WILDLIFE RESOURCES COMMISSION FOR HUNTING AND FISHING METHODS EXEMPTIONS TO PROVIDE REASONABLE ACCOMMODATIONS FOR THEIR DISABILITIES. (CHAPTER 62)

H.B. 773, AN ACT TO PROVIDE FOR DIRECT ACCESS BY WOMEN TO OBSTETRICIAN-GYNECOLOGISTS. (CHAPTER 63)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Daughtry for the Committee on Judiciary I:

H.B. 12, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO LIMIT MEMBERS OF THE

LEGISLATURE TO FOUR CONSECUTIVE TERMS IN A HOUSE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 3.

H.B. 13, A BILL TO BE ENTITLED AN ACT TO STATUTORILY LIMIT BALLOT ACCESS TO MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES WHO HAVE SERVED FOUR TWO-YEAR TERMS, AND UNITED STATES SENATORS WHO HAVE SERVED TWO SIX-YEAR TERMS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 3.

H.B. 481, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARENTAL OR JUDICIAL CONSENT FOR AN UNEMANCIPATED MINOR'S ABORTION, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 3.

H.B. 778, A BILL TO BE ENTITLED AN ACT TO ADJUST THE COMPENSATION OF EMERGENCY SUPERIOR COURT JUDGES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 846, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT STATE LEGISLATIVE AND CONGRESSIONAL REDISTRICTING PLANS MAY NOT DIVIDE PRECINCTS UNLESS A PLAN HAS BEEN REJECTED UNDER SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AND IF SO REJECTED, ONLY THE MINIMUM NUMBER OF PRECINCTS ARE DIVIDED IN A SUBSEQUENT PLAN AS ARE REQUIRED TO OBTAIN APPROVAL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Robinson for the Committee on Business and Labor:

H.B. 825, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Wood for the Committee on Education:

H.B. 908, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE INSTRUCTION IN CHARACTER EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 3.

By Representative Nichols for the Committee on Health and Environment:

H.B. 491, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE REGULATION OF WATER SUPPLY WATERSHEDS DOES NOT APPLY TO CERTAIN WATERSHEDS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 719, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN PROVISIONS RELATING TO CERTAIN MATERIALS USED IN CONJUNCTION WITH FOOD CONSUMPTION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 817, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PERFORMANCE OF ENVIRONMENTAL AUDITS AND SIMILAR ENVIRONMENTAL SELF-ASSESSMENTS BY PROVIDING LIMITED PROTECTION AGAINST THE DISCLOSURE OF AN AUDIT OR SELF-ASSESSMENT, INCLUDING ALL DOCUMENTS GENERATED IN THE COURSE OF PERFORMING THE AUDIT OR SELF-ASSESSMENT, AND TO GRANT IMMUNITY FROM CIVIL AND CRIMINAL PENALTIES TO AN ENTITY THAT VOLUNTARILY DISCLOSES A VIOLATION OF AN ENVIRONMENTAL LAW, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and

recommendation that the committee substitute bill be re-referred to the Committee on Judiciary I.

The committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

H.B. 832, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MEANING OF CRITICAL HABITAT, TO LIMIT THE DESIGNATION OF CRITICAL HABITAT BY THE WILDLIFE RESOURCES COMMISSION, AND TO CLARIFY DUTIES OF THE ENVIRONMENTAL MANAGEMENT COMMISSION IN THE CLASSIFICATION OF STATE WATERS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Holmes, Esposito, and Creech for the Committee on Appropriations:

H.B. 437, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE STATE OF NORTH CAROLINA TO ESTABLISH A STATE VETERANS HOME PROGRAM IN THE DIVISION OF VETERANS AFFAIRS OF THE DEPARTMENT OF ADMINISTRATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 607,** A BILL TO BE ENTITLED AN ACT TO CREATE THE WILMINGTON-NEW HANOVER LOCAL GOVERNMENT TASK FORCE, with a favorable report, as amended.

On motion of Representative Creech, Committee Amendment No. 1 is adopted.

On motion of the Chair, pursuant to Rule 38(b), the bill is ordered engrossed and re-referred to the Committee on Finance.

By Representative Neely for the Committee on Judiciary II:

H.B. 150, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR DRUG SALES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 791, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONVICTION OF THIRD OR SUBSEQUENT DRIVING WHILE IMPAIRED MAKES MOTOR VEHICLE SUBJECT TO FORFEITURE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 3.

H.B. 807, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE CRIMINAL RECORD CHECKS TO HOME CARE AGENCIES AND HOSPICES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 696, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE CHIEF OF MEDICAL STAFF OF JOHNSTON MEMORIAL HOSPITAL AS AN EX OFFICIO TRUSTEE OF THE COUNTY HOSPITAL AUTHORITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 3.

By Representative G. Wilson for the Permanent Subcommittee on Labor Relations and Employment:

H.B. 341, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REQUIREMENTS FOR INDIVIDUALS TO REPORT WORK SEARCH EFFORTS IN ORDER TO REMAIN ELIGIBLE FOR UNEMPLOYMENT BENEFITS, reported to the Standing Committee on Business and Labor, with a favorable recommendation.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Nichols, Edwards, Grady, Preston, Snowden, and

Wainwright:

H.R. 1002, A HOUSE RESOLUTION URGING NORTH CAROLINA'S CONGRESSIONAL DELEGATION TO MAKE EVERY EFFORT TO ENSURE THE TRANSFER OF THE F-18 AIRCRAFT WING FROM THE NAVAL AIR STATION CECIL FIELD, FLORIDA, TO THE MARINE CORPS AIR STATION CHERRY POINT, NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Easterling and G. Miller:

H.B. 1003, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DOMESTIC VIOLENCE PREVENTION AND PROGRAMS, is referred to the Committee on Appropriations.

By Representatives Sutton, Beall, Hensley, Hightower, and Yongue:

H.B. 1004, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TRIANGLE NATIVE AMERICAN SOCIETY, is referred to the Committee on Appropriations.

By Representatives Redwine, Beall, Bowen, Hurley, Ives, McCrary, McLaughlin, Mercer, Ramsey, Sexton, Sutton, and Watson:

H.B. 1005, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FIFTEEN DISPUTE SETTLEMENT CENTERS ACROSS THE STATE, is referred to the Committee on Appropriations.

By Representative Miner:

H.B. 1006, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A COMMUNITY CENTER IN THE TOWN OF FUQUAY-VARINA AND THE RENOVATION OF THE FORMER FUQUAY-VARINA ELEMENTARY SCHOOL'S GYMNASIUM, is referred to the Committee on Appropriations.

By Representative Ives:

H.B. 1007, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENSES OF THE BREVARD MUSIC CENTER IN TRANSYLVANIA COUNTY, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 519, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TRAPPING AND KILLING OF RED WOLVES BY OWNERS OF PRIVATE LAND IN BEAUFORT COUNTY, is returned for concurrence in Senate amendment and referred to the Committee on Local and Regional Government II.

Upon concurrence, the Senate amendment changes the title.

Committee Substitute for **S.B. 483,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INSPECTION OF BISON MEAT THAT IS TO BE USED AS FOOD, is read the first time and referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 560,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY DIRECTOR OF SOCIAL SERVICES TO DELEGATE THE FUNCTION OF ISSUING YOUTH EMPLOYMENT CERTIFICATES, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

S.B. 640, A BILL TO BE ENTITLED AN ACT CHANGING THE ELECTION OF MEMBERS OF THE MCDOWELL COUNTY BOARD OF EDUCATION FROM MAY TO NOVEMBER, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 685, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM TO REQUIRE CERTAIN ACTIONS OF ITS TRANSPORTATION AUTHORITY TO BE BY SUPERMAJORITY, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 699, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF RED SPRINGS TO SELL AT PRIVATE SALE A PARCEL OF PROPERTY DONATED TO THE TOWN, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 708, A BILL TO BE ENTITLED AN ACT REGARDING THE PROCEDURE FOR LETTING PUBLIC CONTRACTS BY THE CITY OF CHARLOTTE, is read the first time and referred to the Committee on Local

and Regional Government II.

S.B. 714, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM RELATING TO NOTIFICATION REQUIREMENTS FOR REZONING ANNEXED PROPERTY, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 751, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TREATMENT OR SERVICES RENDERED BY CERTIFIED FEE-BASED PRACTICING PASTORAL COUNSELORS SHALL BE REIMBURSABLE UNDER THE STATE HEALTH PLAN AND OTHER HEALTH INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES, is read the first time and referred to the Committee on Insurance.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 505,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF GASTONIA, BELMONT, AND MOUNT HOLLY AND THE TOWN OF STANLEY TO MAKE CERTAIN ASSESSMENTS OUTSIDE THE CORPORATE LIMITS.

Representative Brawley offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston,

Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives G. Miller and Tallent - 2.

S.B. 264, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF BETHANIA.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives G. Miller and Tallent - 2.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Decker and without objection, Committee Substitute for **H.B. 495,** A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY IN ALAMANCE, CUMBERLAND, DAVIE, DAVIDSON, GASTON, LINCOLN, AND WAKE COUNTIES TO INJURE OR KILL A LAW ENFORCEMENT AGENCY ANIMAL, TO CREATE A NEW

OFFENSE FOR ASSAULT WITH A FIREARM UPON A LAW ENFORCEMENT AGENCY ANIMAL, AND TO CREATE A NEW OFFENSE FOR SIMPLE ASSAULT OR SIMPLE ASSAULT AND BATTERY UPON A LAW ENFORCEMENT AGENCY ANIMAL, is withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government II.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 160,** A BILL TO BE ENTITLED AN ACT TO CREATE A DRUG-FREE PUBLIC HOUSING ZONE BY PROVIDING AN ENHANCED PENALTY FOR DRUG OFFENSES NEAR PUBLIC HOUSING IN THE CITIES OF ASHEVILLE, EAST SPENCER, LUMBERTON, NEW BERN, RALEIGH, SALISBURY, AND WASHINGTON, AND THE COUNTIES OF CUMBERLAND, DUPLIN, GRAHAM, HAYWOOD, JACKSON, MADISON, AND SWAIN COUNTIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 578,** A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE SALISBURY GEOGRAPHICAL INFORMATION SYSTEM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute No. 2 for **H.B. 90,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO MEETS SPECIFIED STATUTORY CRITERIA MAY CARRY A CONCEALED HANDGUN IF THE PERSON HAS OBTAINED A CONCEALED HANDGUN PERMIT, TO AUTHORIZE SHERIFFS TO AUTHORIZE ISSUANCE OF CONCEALED HANDGUN PERMITS, TO ESTABLISH THE CRITERIA THAT MUST BE SATISFIED TO RECEIVE THE PERMIT, TO ESTABLISH THE PROCEDURE FOR THE ISSUANCE OF A CONCEALED HANDGUN PERMIT, AND TO MAKE CONFORMING

STATUTORY CHANGES.

Representative Kiser offers Amendment No. 1 which is adopted by electronic vote (108-0).

Representative Gamble offers Amendment No. 2 which fails of adoption by electronic vote (37-74).

Representative Culpepper offers Amendment No. 3 which is adopted by electronic vote (100-11).

Representative W. Brown offers Amendment No. 4 which is adopted by electronic vote (55-53).

Representative Hensley offers Amendment No. 5 which is adopted by electronic vote (108-4).

Representative Luebke offers Amendment No. 6 which fails of adoption by electronic vote (52-58).

Representative Hensley offers Amendment No. 7 which fails of adoption by electronic vote (42-72).

Representative Nichols calls the previous question on the passage of the bill and the call is sustained by electronic vote (82-31).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wood - 91.

Voting in the negative: Representatives Adams, Alexander, Barnes, Blue, Boyd-McIntyre, Braswell, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, H. Hunter, Luebke, McAllister, Michaux, Oldham, Shaw, Womble, Wright, and Yongue - 23.

Excused absences: Representatives G. Miller and Wainwright - 2.

H.B. 473, A BILL TO BE ENTITLED AN ACT TO MAKE PROCEDURAL CHANGES AND TECHNICAL CORRECTIONS TO THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT, TO ALLOW RETROACTIVE INDEMNIFICATION OF A MANAGER OR MEMBER OF A LIMITED LIABILITY COMPANY, AND TO EXTEND THE USURY EXEMPTION TO LIMITED LIABILITY COMPANIES AND PARTNERSHIPS.

The bill, as amended, passes its third reading, by electronic vote (106-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 361,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO PLEDGE BLOCK GRANT FUNDS AS LOAN GUARANTEES PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT.

Representative R. Hunter offers Amendment No. 2 which is adopted by electronic vote (100-0).

The bill, as amended, passes its third reading, by electronic vote (104-0), and is ordered engrossed and sent to the Senate.

Objection having been raised, pursuant to Rule 40(b), **H.B. 877,** A BILL TO BE ENTITLED AN ACT TO ABOLISH THE END-OF-COURSE AND END-OF-GRADE TESTS AND TO DIRECT THE STATE BOARD OF EDUCATION TO RECOMMEND ALTERNATIVE METHODS OF ASSESSING STUDENT PERFORMANCE, is removed from today's Consent Calendar and placed on the Regular Calendar.

The bill passes its third reading, by electronic vote (96-9), and is ordered sent to the Senate.

Committee Substitute for **H.B. 729,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH STANDARDS AND PROCEDURES FOR THE RECOVERY OF PUNITIVE DAMAGES IN CIVIL ACTIONS.

Representative Lee offers Amendment No. 4 which fails of adoption by electronic vote (42-64).

Representative Neely calls the previous question on the passage of the bill and the call is sustained by electronic vote (82-26).

The bill passes its third reading, by electronic vote (80-33), and is ordered sent to the Senate.

Committee Substitute for **H.B. 943,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A FORMER GOVERNOR OF THE STATE WHO HAS SERVED AS A MEMBER OF THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS SHALL BE A MEMBER EMERITUS OF THE BOARD OF GOVERNORS AND TO PROHIBIT THE BOARD OF GOVERNORS FROM ELECTING A CHAIRMAN BETWEEN THE TIME THAT THE GENERAL ASSEMBLY ELECTS MEMBERS AND THOSE MEMBERS TAKE OFFICE.

Pursuant to Rule 24.1A, Representative Luebke requests that he be excused from voting on this bill because of a conflict of interest, and this request is granted.

The bill passes is third reading, by electronic vote (83-25), and is ordered sent to the Senate.

Committee Substitute for **H.B. 420,** A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW GOVERNING THE PROCEDURES FOR FILING AND MAINTAINING SHAREHOLDER DERIVATIVE SUITS.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (108-1).

The bill, as amended, passes its third reading, by electronic vote (106-4), and is ordered engrossed and sent to the Senate.

BILL TEMPORARILY DISPLACED

On motion of the Chair, Committee Substitute for **H.B. 229,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION BUDGET OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is temporarily displaced.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 192,** A BILL TO BE ENTITLED AN ACT TO CREATE THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, TO STRENGTHEN THE AUTHORITY OF THE RULES REVIEW COMMISSION, AND TO MAKE PROPOSED ADMINISTRATIVE RULES EFFECTIVE AT THE END OF THE LEGISLATIVE SESSION, passes its second reading, by electronic vote (100-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 834,** A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR PARENTAL REVIEW OF AND TO PLACE CERTAIN RESTRICTIONS ON ANY INSTRUCTION ON SEXUALLY TRANSMITTED DISEASES OR OUT-OF-WEDLOCK PREGNANCY GIVEN AS PART OF A COMPREHENSIVE SCHOOL HEALTH PROGRAM; (2) TO MAKE CHANGES TO THE APPOINTMENTS TO THE STATE SCHOOL HEALTH ADVISORY COMMITTEE; (3) TO REQUIRE PUBLIC SCHOOLS TO OFFER AN ABSTINENCE UNTIL MARRIAGE PROGRAM; AND (4) TO AUTHORIZE LOCAL SCHOOL BOARDS TO OFFER COMPREHENSIVE SEX EDUCATION WHEN CERTAIN REQUIREMENTS CONCERNING REVIEW AND LOCAL APPROVAL ARE SATISFIED.

Representative Lemmond moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Appropriations, Subcommittee on Education.

Representative Grady inquires of the Chair at what point a subject matter bill that has an appropriation should go to the Appropriations Committee. The Speaker states that the term in the Rule is a "substantial" amount of appropriation.

Representative Bowie inquires of the Chair if a bill contains an appropriation, is it affected by the crossover deadline. The Speaker states that it is not.

The motion to re-refer fails by electronic vote (46-62).

Representative Hayes calls the previous question on the passage of the bill and the call is sustained by electronic vote (85-23).

The bill passes its second reading by electronic vote (90-19).

Representative Hayes objects to the third reading. The bill remains on the Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Wood for the Committee on Education:

H.B. 767, A BILL TO BE ENTITLED AN ACT PROMOTING THE USE OF THE EDDIE EAGLE ELEMENTARY GUN SAFETY EDUCATION PROGRAM IN STATE'S ELEMENTARY SCHOOLS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Robinson for the Committee on Business and Labor:

H.B. 220, A BILL TO BE ENTITLED AN ACT REQUIRING JUST COMPENSATION FOR TAKING OF OUTDOOR ADVERTISING, with a favorable report as to committee substitute bill, as amended, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill, as amended, is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives C. Wilson, Gray, and Arnold for the Committee on Finance:

H.B. 365, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENTS THAT A CORPORATION AND A NONPROFIT

CORPORATION FILE AN ANNUAL REPORT WITH AND PAY AN ANNUAL REPORT FILING FEE TO THE OFFICE OF THE SECRETARY OF STATE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 526,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMITS RELATING TO THE LETTING OF PURCHASE CONTRACTS BY THE CITY OF GREENSBORO, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 3.

H.B. 993, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 994, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY CHANGING VARIOUS REVENUE STATUTES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

H.B. 744, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DOMICILIARY CARE FACILITY FOUND ON INSPECTION TO HAVE LEFT A PATIENT UNATTENDED TO HAVE LICENSE REVOKED AND TO BE PLACED UNDER TEMPORARY MANAGEMENT PENDING ANY APPEAL, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary I.

The committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative Wood, Chair for the Standing Committee on Education, refers:

H.B. 630, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT INSTITUTION, to the Permanent Subcommittee on Community Colleges and Universities.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan, pursuant to Rule 38(b), the following bills are withdrawn from the Calendar and re-referred to the Committee on Finance:

H.B. 452, A BILL TO BE ENTITLED AN ACT TO AMEND THE PSYCHOLOGY PRACTICE ACT AND RELATED STATUTES; and

H.B. 825, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS.

On motion of the Chair, the House recesses at 5:00 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 229,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION BUDGET OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, which was temporarily displaced, is before the Body.

Representative Wainwright offers Amendment No. 1.

Representative Wainwright calls for the "ayes" and "noes" on the amendment, and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 1 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, Church, Culpepper, Cunningham, Easterling, Fitch, Fox, Hackney, Hensley, Hightower, Hunt, H. Hunter, R. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McLaughlin, Michaux, Nye, Oldham, Owens, Redwine, Richardson, Sutton, Tolson, Wainwright, Warner, Womble, Wright, and Yongue - 39.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 66.

Excused absences: Representatives Bowen, Hill, and G. Miller - 3.

Representative Grady offers Amendment No. 2 which is adopted by electronic vote (102-1).

Representative Black offers Amendment No. 3.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (74-35).

Amendment No. 3 fails of adoption by electronic vote (49-61).

Representative Redwine offers Amendment No. 4 which fails of adoption by electronic vote (43-64).

Representative Redwine offers Amendment No. 5.

Representative Redwine calls the previous question on the amendment and the call is sustained by electronic vote (102-5).

Amendment No. 5 fails of adoption by electronic vote (49-61).

Representative Holmes calls the previous question on the passage of the bill and the call is sustained by electronic vote (82-29).

The bill, as amended, passes its second reading, by electronic vote (77-37), and remains on the Calendar.

On motion of the Chair and without objection, the bill will appear on the Calendar of May 3 as a Special Order of Business.

On motion of Representative Morgan, seconded by Representative Esposito, the House adjourns at 8:53 p.m. to reconvene May 3 at 2:00 p.m.

FIFTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 3, 1995

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, we are in the heat of battle now, the hours are long, the terrain is rough, and the work is hard. Whether we admit it or not we need You, and we are all You've got. It's this job and us and You. It's about like climbing Mt. Everest backward, it's as delicate and life threatening as the work of a surgeon, as precise and technical as a space flight, demands the timing of great music or a home run swing, the flow and rhythm of poetry or a good running back. It's as moral as the work of a preacher and as basic as taking out the garbage. We are in a fight Lord, right and wrong, truth and falsehood, justice and injustice, selfishness and service, indolence and responsibility. Bless those of us who have faith, and use those who don't still to accomplish Your ends, and mark this Legislature as one that loved people, honored truth, and feared God. In Your name we pray. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 2 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (80-1).

A leave of absence is granted Representative Locke for today.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 405, AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO REGULATE THE MANNER OF TAKING WILDLIFE NOT CLASSIFIED AS GAME ANIMALS. (CHAPTER 64)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Allred for the Permanent Subcommittee on Economic Expansion and Growth:

H.B. 923, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CITIES MAY ALLOW PAWNBROKERS ONLY WITH A SPECIAL USE PERMIT, reported to the Standing Committee on Business and Labor, with a favorable recommendation.

By Representative Neely for the Committee on Judiciary II:

H.B. 434, A BILL TO BE ENTITLED AN ACT TO LIMIT, TO MODIFY, AND ENHANCE THE ATTEMPTING TO ELUDE ARREST STATUTES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 566, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE POWERS OF FIDUCIARIES, with a favorable

report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 682, A BILL TO BE ENTITLED AN ACT MAKING FURTHER SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN ORANGE COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 309, A BILL TO BE ENTITLED AN ACT RELATING TO NOTICES OF LIS PENDENS BY THE CITY OF WINSTON-SALEM, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 136, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE EXEMPTION FOR REAL ESTATE ACQUIRED BY THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT THAT IT BE APPRAISED BY A LICENSED OR CERTIFIED APPRAISER WHEN THE ESTIMATED VALUE OF THE REAL ESTATE IS LESS THAN TEN THOUSAND DOLLARS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 4.

H.J.R. 450, A JOINT RESOLUTION REPEALING A JOINT RESOLUTION PROVIDING FOR A DECLARATION OF THE FEDERATION OF THE WORLD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 730, A BILL TO BE ENTITLED AN ACT TO PREVENT FRIVOLOUS MALPRACTICE ACTIONS BY REQUIRING THAT EXPERT WITNESSES IN MEDICAL MALPRACTICE CASES HAVE APPROPRIATE QUALIFICATIONS TO TESTIFY ON THE STANDARD OF CARE AT ISSUE AND TO REQUIRE EXPERT WITNESS REVIEW AS A CONDITION OF FILING A MALPRACTICE ACTION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 772, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN BY ALIGNING THE FISCAL YEAR AND THE CALENDAR YEAR OF THE PLAN AND HMOS, PROVIDING LIMITED CONTRIBUTIONS FOR EMPLOYEES WHO HAVE LOST THEIR JOBS DUE TO A REDUCTION IN FORCE, ALLOWING RIF'D EMPLOYEES TO PURCHASE COVERAGE FROM THE STATE PLAN, PROVIDING PARTIAL CONTRIBUTION TOWARD DEPENDENT COVERAGE, ALLOWING MATERNITY BENEFITS TO ELIGIBLE DEPENDENTS, INCREASING THE WELLNESS BENEFIT, CHANGING THE PRESCRIPTION DRUG REIMBURSEMENT FORMULA, PLACING THE PENALTY FOR NOT SEEKING CERTIFICATION WITH THE RESPONSIBLE PARTY, ALLOWING FOR IMPROVED BENEFITS WHEN ONE INCISION IS USED FOR MORE THAN ONE PROCEDURE, OMITTING THE OFFICE VISIT COPAY FOR RETIREES ON MEDICARE, COVERING ORAL SURGERY NECESSITATED BECAUSE OF MEDICAL TREATMENT, AND TO DOUBLE THE LIFETIME MAXIMUM BENEFIT, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Public Employees.

The bill is re-referred to the Committee on Public Employees.

H.B. 820, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COSTS SHALL BE ALLOWED A PREVAILING PARTY IN A CIVIL ACTION AND REASONABLE ATTORNEYS' FEES, IN WHOLE OR IN PART, SHALL BE ALLOWED A PREVAILING PARTY IN A CIVIL ACTION AS DIRECTED BY THE COURT, reported without prejudice, and with recommendation that the bill be re-referred to the Select Committee on Tort Reform.

The bill is re-referred to the Select Committee on Tort Reform.

H.B. 965, A BILL TO BE ENTITLED AN ACT TO REVISE RULE 11 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE TO COMPLY WITH RULE 11 OF THE FEDERAL RULES OF CIVIL PROCEDURE IN ORDER TO PROVIDE STRICTER SANCTIONS FOR FILING UNWARRANTED OR FRIVOLOUS ACTIONS, reported without prejudice, and with recommendation that the bill be re-referred to the Select Committee on Tort Reform.

The bill is re-referred to the Select Committee on Tort Reform.

By Representative Nichols for the Committee on Health and Environment:

H.B. 859, A BILL TO BE ENTITLED AN ACT TO REVISE THE SOLID WASTE MANAGEMENT ACT OF 1989 AND RELATED STATUTES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative G. Wilson for the Permanent Subcommittee on Labor Relations and Employment:

H.B. 746, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN INCREASE IN THE MINIMUM WAGE IF THE FEDERAL MINIMUM WAGE INCREASES, reported to the Standing Committee on Business and Labor, with a favorable recommendation.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Yongue, Boyd-McIntyre, Hunt, and Lemmond:

H.B. 1008, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES TO SUPPORT ADULT LITERACY PROGRAMS, is referred to the Committee on Appropriations.

By Representatives Hightower, Boyd-McIntyre, and Yongue:

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL SCHOOL BUSES AND SCHOOL ACTIVITY BUSES PURCHASED AFTER JULY 1, 1995, TO BE EQUIPPED WITH SEAT BELTS AND TO APPROPRIATE FUNDS TO EQUIP NEW SCHOOL BUSES WITH SEAT BELTS, is referred to the Committee on Transportation.

By Representatives Tolson, Nye, and Yongue:

H.B. 1010, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, is referred to the Committee on Health and Environment.

By Representatives J. Brown and Pulley:

H.B. 1011, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TURFGRASS PROGRAM AT NORTH CAROLINA STATE UNIVERSITY, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 128,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF HENDERSON AND THE CITY OF ASHEVILLE TO USE WHEEL LOCKS ON CERTAIN ILLEGALLY PARKED VEHICLES, is returned for concurrence in Senate amendment and referred to the Committee on Local and Regional Government I.

S.B. 289, A BILL TO BE ENTITLED AN ACT RELATING TO THE TERMS OF OFFICE OF THE COUNTY COMMISSIONERS OF ASHE COUNTY, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 308, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING MEDICAID FRAUD, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 353,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS AND CORRECTIONS IN THE INSURANCE LAWS, is read the first time and referred to the Committee on

Insurance.

S.B. 431, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE CHARLOTTE-MECKLENBURG SCHOOL FUNDING PILOT, is read the first time and referred to the Committee on Appropriations.

S.B. 529, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE AUTHORIZATION FOR ALAMANCE COUNTY TO ENTER INTO A CONTRACT TO REPAIR THE ALAMANCE COUNTY COURTHOUSE AND TO REMOVE THE SUNSET PROVISIONS ON THE CITY OF GREENSBORO'S EXCEPTION TO THE FORMAL BIDDING REQUIREMENTS OF G.S. 143-129, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 652,** A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES PERTAINING TO SMALL EMPLOYER HEALTH CARE COVERAGE, is read the first time and referred to the Committee on Insurance.

S.B. 684, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF DURHAM TO AUTHORIZE THE MAKING OF EMERGENCY REPAIRS TO NONRESIDENTIAL BUILDINGS, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 721, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM AMOUNT THAT MAY BE RECOVERED IN STRICT LIABILITY FOR DAMAGE TO PERSON OR PROPERTY BY MINORS, is read the first time and referred to the Committee on Judiciary I.

CALENDAR

Action is taken on the following:

SPECIAL ORDER OF BUSINESS

Committee Substitute for **H.B. 229,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION BUDGET OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Representative Redwine offers Amendment No. 6 which fails of adoption by electronic vote (50-60).

Representative Preston requests that she be recorded as voting "aye". This request is granted. The adjusted vote total is (51-59).

Representative Hightower offers Amendment No. 7.

Representative Hightower calls for the "ayes" and "noes" on the amendment, and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 7 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, Culp, Culpepper, Cunningham, Earle, Easterling, Fitch, Gamble, Hackney, Hensley, Hightower, Hunt, H. Hunter, R. Hunter, Hurley, Lee, Luebke, McAllister, McCrary, Michaux, G. Miller, Nye, Oldham, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Womble, Wright, and Yongue - 43.

Those voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Cummings, Daughtry, Davis, Dickson, Dockham, Eddins, Edwards, Esposito, Fox, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wood - 68.

Excused absence: Representative Locke.

Representative Tolson offers Amendment No. 8 which fails of adoption by electronic vote (45-64).

Representative Adams offers Amendment No. 9 which fails of adoption by electronic vote (41-64).

Representative Adams offers Amendment No. 10.

Representative Adams calls for the "ayes" and "noes" on the amendment and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 10 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Berry, Blue, Bowen, Boyd-McIntyre, Braswell, Crawford, Culpepper, Earle, Easterling, Fitch, Fox, Hackney, Hensley, H. Hunter, Lee, Locke, Luebke, McCrary, McLaughlin, Michaux, Oldham, Ramsey, Richardson, Shaw, Sutton, Tolson, Wainwright, Womble, Wright, and Yongue - 34.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lemmond, Linney, McAllister, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Nye, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wood - 68.

Excused absences: Representatives Gray and Neely - 2.

Representative Thompson offers Amendment No. 11 which is adopted by electronic vote (105-0).

Representative Easterling offers Amendment No. 12 which fails of adoption by electronic vote (45-63).

Representative Michaux offers Amendment No. 13.

Representative Warner requests, pursuant to Rule 24.1A, that he be excused from voting on the amendment as he is an employee of Fayetteville State University. This request is granted.

Amendment No. 13 fails of adoption by electronic vote (52-63).

Representative Wilkins offers Amendment No. 14 which fails of adoption by electronic vote (52-60).

Representative Sutton offers Amendment No. 15 which fails of adoption

by electronic vote (53-58).

Representative Luebke offers Amendment No. 16.

Representative Luebke calls for the "ayes" and "noes" on the amendment and requests that the vote be spread upon the Journal. The Speaker so orders.

Amendment No. 16 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Church, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, Wright, and Yongue - 48.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 65.

Excused absence: Representative Gray.

Representative Luebke offers Amendment No. 17.

Representative Holmes calls the previous question on the amendment and the call is sustained by electronic vote (84-27).

Amendment No. 17 fails of adoption by electronic vote (45-66).

Representative Holmes calls the previous question on the passage of the bill and the call is sustained by electronic vote (81-35).

The bill, as amended, passes its third reading, by electronic vote (79-38), and is ordered engrossed and sent to the Senate.

Representative Boyd-McIntyre requests to be recorded as voting "no" and this request is granted. The adjusted vote total is (79-39).

On motion of the Chair, the House recesses at 4:41 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Dockham for the Committee on Insurance:

H.B. 882, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN PRESCRIPTION DRUG PRICING, TO PROHIBIT COST SHIFTING BY MANUFACTURERS AND SELLERS OF PHARMACEUTICAL DRUGS, AND TO PROVIDE CONSUMERS THE FREEDOM OF CHOOSING THE PHARMACY AT WHICH TO REDEEM A PRESCRIPTION DRUG BENEFIT, with an unfavorable report.

By Representatives C. Wilson, Gray, and Arnold for the Committee on Finance:

H.B. 38, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE A TWO-THIRDS VOTE OF EACH HOUSE OF THE GENERAL ASSEMBLY TO LEVY OR INCREASE TAXES, with a favorable report.

Pursuant to rule 36(a), the bill is placed on the Calendar.

H.B. 337, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTROLLED ACCESS COMMUNITY FISHING LICENSES IN TRANSYLVANIA COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 4.

Committee Substitute for **H.B. 596,** A BILL TO BE ENTITLED AN ACT TO DESCRIBE THE CORPORATE LIMITS OF THE CITY OF NEW

BERN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 4.

Committee Substitute for **H.B. 615,** A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF STANFIELD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 4.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 494, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR ASSAULT UPON A LAW ENFORCEMENT OFFICER WITH A FIREARM, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 571, A JOINT RESOLUTION DEMANDING THAT THE FEDERAL GOVERNMENT CEASE AND DESIST MANDATES THAT ARE BEYOND THE SCOPE OF ITS CONSTITUTIONALLY DELEGATED POWERS, with a favorable report as to committee substitute resolution, which changes the title, unfavorable as to original resolution.

Pursuant to Rule 36(a), the committee substitute resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

H.B. 858, A BILL TO BE ENTITLED AN ACT TO ALLOW REGISTERED VOTERS TO CHOOSE ON PRIMARY DAY THE PARTY IN WHOSE PRIMARY THEY WILL VOTE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 52,** A BILL TO BE ENTITLED AN ACT TO CREATE THE STATE-OWNED SUBMERGED LANDS ADVISORY COMMITTEE AND TO REQUIRE THAT THE ADVISORY COMMITTEE MAKE ITS FINAL REPORT TO THE GENERAL ASSEMBLY ON OR

BEFORE MAY 1, 1995, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, the following bills are withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 12, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO LIMIT MEMBERS OF THE LEGISLATURE TO FOUR CONSECUTIVE TERMS IN A HOUSE; and

H.B. 13, A BILL TO BE ENTITLED AN ACT TO STATUTORILY LIMIT BALLOT ACCESS TO MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES WHO HAVE SERVED FOUR TWO-YEAR TERMS, AND UNITED STATES SENATORS WHO HAVE SERVED TWO SIX-YEAR TERMS.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Miner for the Committee on Transportation:

H.B. 328, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR FAILURE TO GIVE WAY TO AN OVERTAKING VEHICLE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 446, A BILL TO BE ENTITLED AN ACT MODIFYING CONTRACT LETTING PROCEDURES AND LIMITATIONS APPLICABLE TO THE DEPARTMENT OF TRANSPORTATION, with a

favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 903, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TIME LIMIT WITHIN WHICH MOTOR VEHICLE MANUFACTURERS AND DISTRIBUTORS MAY AUDIT AND CHARGEBACK DEALERS FOR WARRANTY REPAIRS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRAL

Representative Miner, Chair for the Standing Committee on Transportation, refers:

H.B. 857, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXCEPTIONS TO THE COMPULSORY USE OF PILOTS IN THE CAPE FEAR RIVER, to the Permanent Subcommittee on Airports, Railways, and Waterways.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Tallent for the Committee on Financial Institutions:

H.B. 97, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON REVERSE MORTGAGES, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar of May 8.

Committee Substitute for **H.B. 542,** A BILL TO BE ENTITLED AN ACT TO ALLOW LENDERS TO COLLECT FEES, INTEREST, AND CHARGES FOR CERTAIN LOANS AND EXTENSIONS OF CREDIT IN AMOUNTS AGREED UPON BY THE PARTIES, WITH NO STATUTORY MAXIMUM LIMIT, AND TO AUTHORIZE COMPUTATION OF REBATES BY THE SIMPLE INTEREST METHOD ON CONTRACTS GOVERNED BY THE RETAIL INSTALLMENT SALES ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Robinson for the Committee on Business and Labor:

H.B. 751, A BILL TO BE ENTITLED AN ACT TO ALLOW A CONTRACT BETWEEN A REAL ESTATE BROKER AND A REAL ESTATE SALESMAN TO INCLUDE A PROVISION TO REIMBURSE THE REAL ESTATE BROKER FOR THE COST OF INCLUDING THE SALESMAN UNDER THE BROKER'S WORKERS' COMPENSATION COVERAGE OF THE BROKER'S BUSINESS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 774, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE PRACTICES BETWEEN AND AMONG PHYSICIANS AND MID-LEVEL HEALTH CARE PROVIDERS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 470, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION TO THE NEW BERN CIVIL SERVICE PROVISIONS FOR POLICE TO DELETE OLD REPEALED MATERIAL INADVERTENTLY APPEARING IN A 1993 REWRITE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 4.

H.B. 643, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE BOUNDARIES OF THE HEARTSEASE FIRE TAX DISTRICT AND THE HARRISON FIRE TAX DISTRICT IN EDGECOMBE COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 655, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF RALEIGH TO IMPLEMENT CERTAIN ALTERNATIVE ZONING NOTICE PROCEDURES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 4.

H.B. 656, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE RALEIGH CITY CHARTER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 4.

H.B. 561, A BILL TO BE ENTITLED AN ACT RELATING TO CHOWAN COUNTY, reported without prejudice, and with recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 562, A BILL TO BE ENTITLED AN ACT RELATING TO PERQUIMANS COUNTY, reported without prejudice, and with recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 563, A BILL TO BE ENTITLED AN ACT RELATING TO DARE COUNTY, reported without prejudice, and with recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 564, A BILL TO BE ENTITLED AN ACT RELATING TO WASHINGTON COUNTY, reported without prejudice, and with recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 565, A BILL TO BE ENTITLED AN ACT RELATING TO TYRRELL COUNTY, reported without prejudice, and with recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 683, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE COUNTY OF NASH, reported without prejudice, and with recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 709, A BILL TO BE ENTITLED AN ACT RELATING TO THE MACON COUNTY BOARD OF COMMISSIONERS, reported without prejudice, and with recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 505,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF GASTONIA, BELMONT, AND MOUNT HOLLY AND THE TOWN OF STANLEY TO MAKE CERTAIN ASSESSMENTS OUTSIDE THE CORPORATE LIMITS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham,

Easterling, Eddins, Edwards, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, McComas, McCombs, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Richardson, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue - 94.

Voting in the negative: Representative Ramsey.

Excused absence: Representative Redwine.

Representative Ramsey states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (95-0).

S.B. 264, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF BETHANIA.

The bill, as amended, passes it third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Easterling, Eddins, Edwards, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Weatherly, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue - 98.

Voting in the negative: None.

Excused absence: Representative Redwine.

H.B. 696, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE

CHIEF OF MEDICAL STAFF OF JOHNSTON MEMORIAL HOSPITAL AS AN EX OFFICIO TRUSTEE OF THE COUNTY HOSPITAL AUTHORITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 526,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMITS RELATING TO THE LETTING OF PURCHASE CONTRACTS BY THE CITY OF GREENSBORO, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 332,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DOMICILIARY AND NURSING HOME PENALTY ASSESSMENT LAW.

On motion of the Chair, the bill is temporarily displaced.

H.B. 378, A BILL TO BE ENTITLED AN ACT TO RESOLVE POSSIBLE CONFLICT IN LAWS REGARDING TEMPORARY MANAGEMENT OF LONG-TERM CARE FACILITIES AND STATE/COUNTY SPECIAL ASSISTANCE FOR ADULTS, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 380, A BILL TO BE ENTITLED AN ACT TO REPEAL THE TWELVE THOUSAND DOLLAR EXCLUSION LIMITATION ON CERTAIN PROPERTY FOR PURPOSES OF DETERMINING ELIGIBILITY FOR THE STATE/COUNTY SPECIAL ASSISTANCE TO ADULTS PROGRAM, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute No 2 for **H.B. 90,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO MEETS SPECIFIED STATUTORY CRITERIA MAY CARRY A CONCEALED HANDGUN IF THE PERSON HAS OBTAINED A CONCEALED HANDGUN PERMIT,

TO AUTHORIZE SHERIFFS TO AUTHORIZE ISSUANCE OF CONCEALED HANDGUN PERMITS, TO ESTABLISH THE CRITERIA THAT MUST BE SATISFIED TO RECEIVE THE PERMIT, TO ESTABLISH THE PROCEDURE FOR THE ISSUANCE OF A CONCEALED HANDGUN PERMIT, AND TO MAKE CONFORMING STATUTORY CHANGES.

Representative Ives states that he voted with the prevailing side and moves that the vote by which Amendment No. 4 was adopted be reconsidered.

Representative Decker inquires of the Chair if the motion to reconsider requires more than a majority vote at this stage. The Speaker rules that it only requires a simple majority vote.

Representative Brawley inquires of the Chair if the second reading has to be reconsidered before the motion is in order.

Representative Ives withdraws his motion.

Representative Ives states that he voted with the prevailing side and he moves that the vote by which the bill passed its second reading be reconsidered.

On motion of the Chair, the bill is temporarily displaced.

Committee Substitute for **H.B. 332,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DOMICILIARY AND NURSING HOME PENALTY ASSESSMENT LAW, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 63,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SPECIALTY LICENSE FOR TRANSPORT REFRIGERATION CONTRACTORS, TO CHANGE THE COMPOSITION OF THE LICENSING BOARD, AND TO AMEND OTHER PROVISIONS OF THE LAW GOVERNING REFRIGERATION CONTRACTORS.

Representative Hill offers Amendment No. 1 which is adopted by electronic vote (105-3).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: Representative Fitch.

Excused absence: Representative Redwine.

Committee Substitute for **H.B. 834,** A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR PARENTAL REVIEW OF AND TO PLACE CERTAIN RESTRICTIONS ON ANY INSTRUCTION ON SEXUALLY TRANSMITTED DISEASES OR OUT-OF-WEDLOCK PREGNANCY GIVEN AS PART OF A COMPREHENSIVE SCHOOL HEALTH PROGRAM; (2) TO MAKE CHANGES TO THE APPOINTMENTS TO THE STATE SCHOOL HEALTH ADVISORY COMMITTEE; (3) TO REQUIRE PUBLIC SCHOOLS TO OFFER AN ABSTINENCE UNTIL MARRIAGE PROGRAM; AND (4) TO AUTHORIZE LOCAL SCHOOL BOARDS TO OFFER COMPREHENSIVE SEX EDUCATION WHEN CERTAIN REQUIREMENTS CONCERNING REVIEW AND LOCAL APPROVAL ARE SATISFIED.

Representative Wright offers Amendment No. 1 which is adopted by electronic vote (111-0).

Representative Lemmond offers Amendment No. 2 which is adopted by

electronic vote (106-0).

Representative Lemmond offers Amendment No. 3.

Representative Hayes calls the previous question on the amendment and the call is sustained by electronic vote (89-24).

Amendment No. 3 is adopted by electronic vote (61-55).

Representative Hayes calls the previous question on the passage of the bill and the call is sustained by electronic vote (94-17).

The bill, as amended, passes its third reading, by electronic vote (98-15), and is ordered engrossed and sent to the Senate.

Committee Substitute No. 2 for **H.B. 90,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO MEETS SPECIFIED STATUTORY CRITERIA MAY CARRY A CONCEALED HANDGUN IF THE PERSON HAS OBTAINED A CONCEALED HANDGUN PERMIT, TO AUTHORIZE SHERIFFS TO AUTHORIZE ISSUANCE OF CONCEALED HANDGUN PERMITS, TO ESTABLISH THE CRITERIA THAT MUST BE SATISFIED TO RECEIVE THE PERMIT, TO ESTABLISH THE PROCEDURE FOR THE ISSUANCE OF A CONCEALED HANDGUN PERMIT, AND TO MAKE CONFORMING STATUTORY CHANGES, which was temporarily displaced with a pending motion to reconsider the vote by which the second reading passed, is before the Body.

Representative Ives withdraws his motion to reconsider the vote by which the second reading passed.

Representative Nichols calls the previous question on the passage of the bill and the call is sustained by electronic vote (90-19).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Fox, Gardner,

Grady, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 92.

Voting in the negative: Representatives Adams, Alexander, Barnes, Blue, Boyd-McIntyre, Braswell, Cunningham, Earle, Easterling, Ellis, Fitch, Gamble, Hackney, Hensley, H. Hunter, Luebke, McAllister, Michaux, G. Miller, Oldham, Womble, and Wright - 22.

Excused absence: Representative Redwine.

H.B. 881, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF TEACHER CERTIFICATION.

Representative Wood calls the previous question on the passage of the bill and the call is sustained by electronic vote (89-15).

The bill passes its second reading by electronic vote (56-50).

Representative Hensley objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hurley and without objection, **H.B. 841,** A BILL TO BE ENTITLED AN ACT TO REDUCE THE MINIMUM NUMBER OF BEDS IN THE STATE VETERANS HOME TO BE CONSTRUCTED IN FAYETTEVILLE, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

Committee Substitute for **H.B. 844,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAW.

On motion of Representative Barbee and without objection, consideration of the bill is postponed until May 8.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 606,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTIES OF THE TRUSTEE OF AN IRREVOCABLE LIFE INSURANCE TRUST, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Morgan, seconded by Representative Creech, the House adjourns at 7:46 p.m. to reconvene May 4 at 2:00 p.m.

FIFTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 4, 1995

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, thank You for this National Day of Prayer, for Senators, Representatives, and Staff who are sharing thirty minute intervals in the Chapel. Regardless of religious persuasion we need your guidance and should seek it. Without trying to sound morbid or Doomsday, we are facing tremendous challenges. Overpopulation, shrinking natural resources, ethnic cleansing, fanaticism of all kinds, global economic competition, poverty, violence, drugs, family deterioration, loss of faith, moral absolutes, and accountability. I don't have the time nor the inclination to name more, but Lord our best minds, intellects, and methods are frail without Your blessing. Now Father, what a week this has been in this political arena. Sometimes I felt like I was in a bar room brawl, then a doctoral dissertation seminar, then a religious service with an altar call. The debate would burst forth in symphonic percussion crescendo, then move to flute and woodwind diminuendo. At times, I didn't know whether to crawl under my desk, or to go forward and kneel and pray. Then someone whispered 'Politics Ninety Six', and I was jolted back into reality. Father, bless the fine men and women of this House. This is America. I love it, I love them, and we love You. In Jesus name.

Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 3 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (90-0).

Leaves of absence are granted Representatives Hurley, Nichols, Preston, and Wainwright for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 68, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF BEECH MOUNTAIN TO REQUIRE THAT CERTAIN RENTAL RESIDENTIAL DWELLING UNITS HAVE SMOKE DETECTORS AND FIRE EXTINGUISHERS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 69, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF BEECH MOUNTAIN TO MAKE STREET ASSESSMENTS WITHOUT FIRST RECEIVING A PETITION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Justus for the Permanent Subcommittee on Justice and Public Safety:

H.B. 375, A BILL TO BE ENTITLED AN ACT TO REMOVE THE LIMITATION ON FUNDING FOR THE PER DIEM COSTS OF INMATES HOUSED OUT-OF-STATE, reported to the Standing Committee on Appropriations with a favorable recommendation that the House do concur.

By Representative McCombs for the Committee on Pensions and Retirement:

H.B. 344, A BILL TO BE ENTITLED AN ACT TO ALLOW ADDITIONAL RETROACTIVE MEMBERSHIP IN THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 376, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE RETIREMENT BENEFITS PAYABLE FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND TO PROVIDE FOR THE FUNDING OF THE BENEFITS AND FOR THE FUNDING OF THE DISABILITY INCOME PLAN FOR TEACHERS AND STATE EMPLOYEES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 575,** A BILL TO BE ENTITLED AN ACT TO REMOVE THE TOWN OF KERNERSVILLE'S LOCAL MODIFICATIONS TO G.S. 58-84-35, FORMERLY G.S. 118-7, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 350, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REQUESTING AGENCY TO COMPENSATE THE INTERPRETERS FOR THE DEAF IN CERTAIN JUDICIAL, LEGISLATIVE, AND ADMINISTRATIVE PROCEEDINGS, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar of May 9.

By Representative Robinson for the Committee on Business and Labor:

H.B. 798, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN

REQUIREMENTS PERTAINING TO MATERIALS USED IN CONJUNCTION WITH FOOD CONSUMPTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 842, A BILL TO BE ENTITLED AN ACT TO REPEAL THE CURRENT STATUTES REGARDING FRAUDULENT CONVEYANCES AND TO ADOPT THE UNIFORM FRAUDULENT TRANSFER ACT IN ORDER TO MODERNIZE NORTH CAROLINA LAW AND HARMONIZE OUR LAW ON THIS SUBJECT WITH THOSE STATES THAT HAVE ADOPTED THIS UNIFORM ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary II.

The committee substitute bill is re-referred to the Committee on Judiciary II. The original bill is placed on the Unfavorable Calendar.

H.B. 933, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAIR AND EQUITABLE LIQUIDATIONS OF MUTUAL ASSOCIATIONS AND SAVINGS BANKS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 970, A BILL TO BE ENTITLED AN ACT TO PERMIT EMPLOYERS TO CONDUCT ON-SITE DRUG TESTING UNDER CERTAIN CIRCUMSTANCES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 295,** A BILL TO BE ENTITLED AN ACT TO ENACT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO CLARIFY THE AUTHORITY OF THE BUILDING CODE COUNCIL TO ADOPT PROVISIONS REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF SMOKE DETECTORS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 498, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE WITH RESPECT TO THE DISPOSITION OF REAL PROPERTY TO PERSONS OF LOW OR MODERATE INCOME, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative C. Wilson, Gray, and Arnold for the Committee on Finance:

H.B. 142, A BILL TO BE ENTITLED AN ACT TO REPEAL THE INTANGIBLES TAX AND TO APPROPRIATE FUNDS TO LOCAL GOVERNMENTS TO REIMBURSE THEM FOR THEIR RESULTING REVENUE LOSS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 583,** A BILL TO BE ENTITLED AN ACT RELATING TO THE ALAMANCE COUNTY PUBLIC LAW LIBRARY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 770,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF COUNTY SERVICE DISTRICTS FOR LAW ENFORCEMENT SERVICES AND TO CHANGE THE REQUIREMENTS FOR CREATION OF DISTRICTS COVERING THE ENTIRE UNINCORPORATED AREA OF A COUNTY, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 271, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT MEDIATION PROGRAM FOR EQUITABLE DISTRIBUTION UNDER THE ADMINISTRATIVE OFFICE OF THE COURTS, AS RECOMMENDED BY THE LRC STUDY COMMITTEE ON FAMILY ISSUES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 272, A BILL TO BE ENTITLED AN ACT TO ALLOW INTERIM DISTRIBUTIVE AWARDS IN EQUITABLE DISTRIBUTION CASES, AS RECOMMENDED BY THE LRC STUDY COMMITTEE ON FAMILY ISSUES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 463, A BILL TO BE ENTITLED AN ACT TO REQUEST THE CHIEF JUSTICE OF THE SUPREME COURT TO INVESTIGATE AND REPORT ON THE NUMBER OF EQUITABLE DISTRIBUTION CASES PENDING ACROSS THE STATE AND THE REASONS FOR DELAYS IN DISPOSITION OF THE CASES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Shubert for the Permanent Subcommittee on Families:

H.B. 402, A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF ALL FOSTER PARENTS IN LICENSED FAMILY FOSTER HOMES AND TO APPROPRIATE FUNDS, reported to the Standing Committee on Welfare Reform and Human Resources, with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the proposed committee substitute bill be re-referred to the Committee on Appropriations.

H.B. 403, A BILL TO BE ENTITLED AN ACT TO MANDATE

CRIMINAL HISTORY CHECKS OF CHILD DAY CARE PROVIDERS, TO STUDY THE USE OF THE CENTRAL REGISTRY ON CHILD ABUSE AND NEGLECT, AND TO APPROPRIATE FUNDS, reported to the Standing Committee on Welfare Reform and Human Resources, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill, and recommendation that the proposed committee substitute bill be re-referred to the Committee on Appropriations.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Adams, Cunningham, Fitch, Hensley, H. Hunter, Sexton, Wainwright, and Wright:

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AGRICULTURAL RESEARCH AND EXTENSION PROGRAMS AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Kiser, Barbee, J. Brown, Cansler, Capps, Cocklereece, Culp, Cummings, Davis, Dickson, Justus, Linney, Pate, Rayfield, Reynolds, Sexton, Sharpe, Shubert, Tallent, Weatherly, and G. Wilson:

H.B. 1013, A BILL TO BE ENTITLED AN ACT TO LEVY AN EXCISE TAX ON ILLEGAL SPIRITUOUS LIQUOR, AN EXCISE TAX ON MASH, AND AN EXCISE TAX ON ILLEGAL MIXED BEVERAGES, is referred to the Committee on Finance.

By Representative Sherrill:

H.B. 1014, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PROVIDE CONSTRUCTION AND MAINTENANCE SERVICES AT THE WESTERN RESIDENCE OF THE GOVERNOR, is referred to the Committee on Transportation.

By Representatives Barnes and Arnold (Co-Sponsors); Russell and Oldham:

H.B. 1015, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF SOCIAL STUDIES TEXTBOOKS FOR GRADES FOUR THROUGH SEVEN OR TO USE TEXTBOOK FUNDS FOR THAT PURPOSE, is referred to the Committee on Appropriations.

By Representative W. Brown:

H.B. 1016, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT HARNETT CORRECTIONAL INSTITUTION, is referred to the Committee on Appropriations.

By Representatives McAllister, Blue, Braswell, Cansler, Cummings, Cunningham, Earle, Easterling, Fitch, Hightower, H. Hunter, Linney, Richardson, Sherrill, Sutton, Wainwright, Warner, Womble, and Yongue:

H.B. 1017, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTRACT FINANCING AND SURETY BONDS FOR SMALL BUSINESSES THAT CONTRACT WITH GOVERNMENTAL AGENCIES, is referred to the Committee on Finance.

By Representatives Wilkins and Mercer:

H.B. 1018, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS OPERATING LOCAL CONFINEMENT FACILITIES TO CHARGE FEES FOR NONEMERGENCY MEDICAL CARE PROVIDED TO PRISONERS, is referred to the Committee on Finance.

By Representatives Fox, Alexander, Boyd-McIntyre, Church, Hiatt, Hill, H. Hunter, R. Hunter, Lee, Mercer, Michaux, Oldham, Owens, Ramsey, and Tolson:

H.B. 1019, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A TEACHER TRAINING PROGRAM IN THE FIELD OF VISUAL IMPAIRMENT, is referred to the Committee on Appropriations, Subcommittee on Education.

By Representatives Eddins, Barbee, Beall, J. Brown, Capps, Clary, Cocklereece, Creech, Culp, Davis, Dockham, Ives, Lee, McMahan, K. Miller, Morgan, Nichols, Pate, Pulley, Ramsey, Tallent, Tolson, Watson, and Wood:

H.B. 1020, A BILL TO BE ENTITLED AN ACT TO CLASSIFY CERTAIN JOINT MUNICIPAL POWER AGENCIES AS ELECTRIC SUPPLIERS AND TO APPLY THE FRANCHISE TAX TO CERTAIN JOINT MUNICIPAL POWER AGENCIES, is referred to the Committee on Business and Labor.

By Representatives W. Brown and Davis:

H.B. 1021, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, FOREST RESOURCES DIVISION, FOR THE ACQUISITION OF ADDITIONAL LAND, EQUIPMENT, AND THE CONSTRUCTION OF A FIRE CONTROL AND FOREST MANAGEMENT HEADQUARTERS IN LEE COUNTY, is referred to the Committee on Appropriations.

By Representatives Nye, Adams, Alexander, Boyd-McIntyre, Braswell, Dickson, Earle, Easterling, H. Hunter, Hurley, Watson, G. Wilson, and Yongue:

H.B. 1022, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES TO EXPAND THE "TOUCHING THE LIVES OF FAMILIES" PROGRAM, is referred to the Committee on Appropriations.

By Representatives Nye, Adams, Alexander, Boyd-McIntyre, Braswell, Dickson, Earle, Easterling, H. Hunter, Hurley, Thompson, Watson, and G. Wilson:

H.B. 1023, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, FOR CAPITAL EXPENSES OF SENIOR CENTERS THROUGHOUT THE STATE, is referred to the Committee on Appropriations.

By Representatives Nye, Adams, Alexander, Boyd-McIntyre, Braswell, Dickson, Earle, Easterling, Gardner, Hurley, Watson, and G. Wilson:

H.B. 1024, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO SERVE "THOMAS S." CLASS

MEMBERS, is referred to the Committee on Appropriations.

By Representatives Nye, Adams, Alexander, Boyd-McIntyre, Braswell, Dickson, Earle, Easterling, Gardner, H. Hunter, Hurley, Watson, G. Wilson, and Yongue:

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO REQUIRE A DETERMINATION OF THE APPROPRIATE READING/WRITING MEDIUM FOR EACH VISUALLY IMPAIRED STUDENT AND TO APPROPRIATE FUNDS, is referred to the Committee on Appropriations.

By Representatives Cummings, Clary, H. Hunter, Pate, Russell, Shubert, G. Wilson, and Yongue:

H.B. 1026, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT A NEW SALARY SCHEDULE FOR CERTIFIED SCHOOL SUPERVISORS, DIRECTORS, AND COORDINATORS, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 140,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PURPOSE FOR A MOMENT OF SILENCE IN THE PUBLIC SCHOOLS AND TO PROHIBIT LOCAL BOARDS OF EDUCATION FROM ADOPTING POLICIES THAT DENY CERTAIN FIRST AMENDMENT RIGHTS, is read the first time and referred to the Committee on Education.

Committee Substitute for **S.B. 300,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO PLEDGE BLOCK GRANT FUNDS AS LOAN GUARANTEES PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT, is read the first time and referred to the Committee on Business and Labor.

S.B. 592, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROVISIONS OF THE CHARTER OF THE CITY OF FAYETTEVILLE CONCERNING FAIR HOUSING, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 602, A BILL TO BE ENTITLED AN ACT TO INCORPORATE

THE TOWN OF FOSCOE, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 606, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF FACILITY AUTHORITIES AND TO ESTABLISH THE CENTENNIAL AUTHORITY, is read the first time and referred to the Committee on Finance.

S.B. 668, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE STATUTE PERMITTING PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION, is read the first time and referred to the Committee on Transportation.

S.B. 677, A BILL TO BE ENTITLED AN ACT PERMITTING THE BOARD OF TRUSTEES OF SOUTHEASTERN COMMUNITY COLLEGE TO GRANT SECURITY INTERESTS TO FEDERAL AGENCIES, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 679, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN ACTIONS OF WATER AND SEWER DISTRICTS, is read the first time and referred to the Committee on Judiciary I.

S.B. 709, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN ACTIONS OF COLUMBUS COUNTY WATER AND SEWER DISTRICT I, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 726, A BILL TO BE ENTITLED AN ACT TO ALLOW WAKE COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is read the first time and referred to the Committee on Local and Regional Government I.

RE-REFERRAL

On motion of Representative Culp and without objection, **H.B. 900,** A BILL TO BE ENTITLED AN ACT TO REQUIRE PUBLIC SCHOOL EMPLOYEES TO REFRAIN FROM INAPPROPRIATE POLITICAL ACTIVITY, is withdrawn from the Committee on Public Employees and re-referred to the Committee on Education.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 243,** A BILL TO BE ENTITLED AN ACT TO CREATE A NEW OFFENSE OF TRESPASSING ON RAILROAD RIGHTS-OF-WAY, TO INCREASE THE PENALTY FOR FAILURE TO OBEY RAILROAD SIGNALS, AND TO OTHERWISE IMPROVE SAFETY AT RAILROAD CROSSINGS.

Representative Neely requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative McLaughlin offers Amendment No. 1.

Representative McLaughlin calls the previous question on the amendment and the call is sustained by electronic vote (98-9).

Amendment No. 1 is adopted by electronic vote (61-45).

On motion of Representative Bowie and without objection, the bill is temporarily displaced.

H.B. 481, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARENTAL OR JUDICIAL CONSENT FOR AN UNEMANCIPATED MINOR'S ABORTION.

On motion of Representative K. Miller, Committee Amendment No. 1 is adopted by electronic vote (95-2).

Representative Alexander states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (96-2).

The bill, as amended, passes its second reading by electronic vote (81-22).

Representative Alexander objects to the third reading. The bill remains on the Calendar.

H.B. 908, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE

PUBLIC SCHOOLS TO PROVIDE INSTRUCTION IN CHARACTER EDUCATION, passes its second reading by electronic vote (100-2).

Representative Gray objects to the third reading. The bill remains on the Calendar.

H.B. 791, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONVICTION OF THIRD OR SUBSEQUENT DRIVING WHILE IMPAIRED MAKES MOTOR VEHICLE SUBJECT TO FORFEITURE.

Representative Culpepper offers Amendment No. 1.

On motion of Representative Shubert and without objection, the bill with pending amendment is temporarily displaced.

EXTENSION OF DEADLINE

On motion of the Chair and without objection, the deadline in Rule 31.1(c) on May 4 at 3:00 p.m. is extended until 3:30 p.m.

CALENDAR (continued)

Committee Substitute for **H.B. 243,** A BILL TO BE ENTITLED AN ACT TO CREATE A NEW OFFENSE OF TRESPASSING ON RAILROAD RIGHTS-OF-WAY, TO INCREASE THE PENALTY FOR FAILURE TO OBEY RAILROAD SIGNALS, AND TO OTHERWISE IMPROVE SAFETY AT RAILROAD CROSSINGS, which was temporarily displaced, is before the Body.

Representative Creech offers Amendment No. 2 which is adopted by electronic vote (88-4).

Representative Hightower offers Amendment No. 3 which is adopted by electronic vote (66-31).

Representative Edwards offers Amendment No. 4.

Representative Edwards withdraws his amendment.

On motion of Representative Morgan and without objection, the bill is withdrawn from the Calendar, ordered engrossed, and re-referred to the Committee on Transportation.

RE-REFERRALS

On motion of Representative Berry and without objection, the following bills along with their proposed committee substitutes are withdrawn from the Committee on Welfare Reform and Human Resources and re-referred to the Committee on Appropriations.

H.B. 402, A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF ALL FOSTER PARENTS IN LICENSED FAMILY FOSTER HOMES AND TO APPROPRIATE FUNDS; and

H.B. 403, A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF CHILD DAY CARE PROVIDERS, TO STUDY THE USE OF THE CENTRAL REGISTRY ON CHILD ABUSE AND NEGLECT, AND TO APPROPRIATE FUNDS.

CALENDAR (continued)

H.B. 791, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONVICTION OF THIRD OR SUBSEQUENT DRIVING WHILE IMPAIRED MAKES MOTOR VEHICLE SUBJECT TO FORFEITURE, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Amendment No. 1 is adopted by electronic vote (100-0).

Representative Neely states that his voting equipment malfunctioned and requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (101-0).

The bill, as amended, passes its second reading by electronic vote (96-6).

Representative K. Miller objects to the third reading. The bill remains on the Calendar.

H.B. 337, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTROLLED ACCESS COMMUNITY FISHING LICENSES IN TRANSYLVANIA COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown,

Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Ives, Justus, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Pulley, Rayfield, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Cansler, Hurley, Nichols, Preston, and Wainwright - 5.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative K. Miller withdraws his objection to the third reading of **H.B. 791,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONVICTION OF THIRD OR SUBSEQUENT DRIVING WHILE IMPAIRED MAKES MOTOR VEHICLE SUBJECT TO FORFEITURE.

The bill, as amended, passes its third reading, by electronic vote (99-2), and is ordered engrossed and sent to the Senate.

CALENDAR (continued)

Committee Substitute for **H.B. 596,** A BILL TO BE ENTITLED AN ACT TO DESCRIBE THE CORPORATE LIMITS OF THE CITY OF NEW BERN.

On motion of Representative Hayes, consideration of the bill is postponed until May 8.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hayes and without objection, **H.B. 470,** A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION TO THE NEW BERN CIVIL SERVICE PROVISIONS FOR POLICE TO DELETE OLD REPEALED MATERIAL INADVERTENTLY

APPEARING IN A 1993 REWRITE, is withdrawn from the Calendar and placed on the Calendar of May 8.

CALENDAR (continued)

Committee Substitute for **H.B. 615,** A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF STANFIELD, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Pulley, Rayfield, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 99.

Voting in the negative: None.

Excused absences: Representatives Cansler, Hurley, Nichols, Preston, and Wainwright - 5.

H.B. 655, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF RALEIGH TO IMPLEMENT CERTAIN ALTERNATIVE ZONING NOTICE PROCEDURES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 656, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE RALEIGH CITY CHARTER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute No. 2 for **H.B. 63,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SPECIALTY LICENSE FOR TRANSPORT REFRIGERATION CONTRACTORS, TO CHANGE THE COMPOSITION OF THE LICENSING BOARD, AND TO AMEND OTHER PROVISIONS OF THE LAW GOVERNING REFRIGERATION CONTRACTORS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 97.

Voting in the negative: None.

Excused absences: Representatives Cansler, Hurley, Nichols, Preston, and Wainwright - 5.

H.B. 881, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF TEACHER CERTIFICATION.

Representative Barnes offers Amendment No. 1 which is adopted by electronic vote (95-3).

Representative Barnes offers Amendment No. 2.

Representative Shubert offers perfecting Amendment No. 3 which is adopted by electronic vote (90-14).

Representative Barnes calls the previous question on Amendment No. 2 and the call is sustained by electronic vote (92-6).

Amendment No. 2 is adopted by electronic vote (65-36).

Representative Cummings offers Amendment No. 4 which is adopted by electronic vote (53-47).

Representative K. Miller offers Amendment No. 5.

Representative Wood calls the previous question on the amendment and the call is sustained by electronic vote (78-2).

Amendment No. 5 fails of adoption by electronic vote (8-94).

Representative Wood calls the previous question on the passage of the bill and the call is sustained by electronic vote (88-15).

The bill, as amended, passes its third reading, by electronic vote (66-39), and is ordered engrossed and sent to the Senate.

On motion of the Chair, the House recesses at 4:06 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 12, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO LIMIT MEMBERS OF THE LEGISLATURE TO FOUR CONSECUTIVE TERMS IN A HOUSE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

H.B. 13, A BILL TO BE ENTITLED AN ACT TO STATUTORILY LIMIT BALLOT ACCESS TO MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES WHO HAVE SERVED FOUR TWO-YEAR TERMS, AND UNITED STATES SENATORS WHO HAVE SERVED TWO SIX-YEAR TERMS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

H.B. 106, A BILL TO BE ENTITLED AN ACT TO LIMIT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO SERVICE AS SPEAKER IN TWO CONSECUTIVE GENERAL ASSEMBLIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

H.B. 222, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION TO G.S. 120-70.2 REGARDING FILLING OF VACANCIES ON THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 8.

H.B. 406, A BILL TO BE ENTITLED AN ACT TO ADOPT THE SWEET POTATO AS THE OFFICIAL STATE VEGETABLE, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Agriculture.

The bill is re-referred to the Committee on Agriculture.

H.B. 785, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE OPEN MEETINGS LAW APPLIES TO ALL PROCEDURES OF THE GENERAL ASSEMBLY INCLUDING THE BUDGET PROCESS, reported without prejudice and with recommendation that the bill be re-referred to the Committee on State Government.

The bill is re-referred to the Committee on State Government.

H.B. 959, A BILL TO BE ENTITLED AN ACT TO PROHIBIT A COMPENSATED ELECTIVE OFFICIAL FROM RECEIVING A SECOND PUBLIC PAYCHECK, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Public Employees.

The bill is re-referred to the Committee on Public Employees.

H.B. 673, A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION, APPOINTMENTS, AND TERMS OF VARIOUS BOARDS, COMMISSIONS, AND AUTHORITIES WITHIN STATE GOVERNMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

H.J.R. 850, A JOINT RESOLUTION REQUESTING CONGRESS TO DEVOLVE THE UNEMPLOYMENT INSURANCE SYSTEM BACK TO STATE CONTROL, with a favorable report as to committee substitute resolution, which changes the title, unfavorable as to original resolution.

Pursuant to Rule 36(a), the committee substitute resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

H.B. 895, A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE OF FEDERAL MANDATES BY REQUIRING THE CERTIFICATION OF PROPOSED LEGISLATION AND RULES PURPORTED TO BE REQUIRED BY FEDERAL LAW, TO PROVIDE FOR REVIEW BY THE GOVERNOR OF ADMINISTRATIVE RULES THAT WOULD INCREASE OR DECREASE EXPENDITURES OR REVENUES OF UNITS OF LOCAL GOVERNMENT, TO AMEND THE LOCAL GOVERNMENT FISCAL INFORMATION ACT TO REQUIRE THE PREPARATION OF FISCAL NOTES FOR CERTAIN PROPOSED LEGISLATION, AND TO PROVIDE FOR THE COMPILATION OF THE COSTS OF FEDERAL MANDATES ON THE EXPENDITURES AND REVENUES OF LOCAL GOVERNMENTS, with a favorable report as to committee bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Hiatt for the Permanent Subcommittee on Travel and

Tourism:

H.B. 138, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF LOOSE, UNPACKED CIGARETTES, reported to the Standing Committee on Business and Labor with a favorable recommendation.

Committee Substitute for **H.B. 281,** A BILL TO BE ENTITLED AN ACT TO CREATE THE RESIDENTIAL PROPERTY DISCLOSURE ACT, reported to the Standing Committee on Business and Labor, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

By Representative Cummings for the Permanent Subcommittee on Preschool, Elementary and Secondary Education:

H.B. 241, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT NONCERTIFICATED PUBLIC SCHOOL EMPLOYEES BE HIRED ON A CONTINUING CONTRACT, reported to the Standing Committee on Education, with a favorable recommendation.

With approval of standing committee chair for report to be made directly to the floor of the House, Representative Cummings further reports:

H.B. 487, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PILOT PROGRAMS IN WHICH STUDENTS ARE REQUIRED TO WEAR UNIFORMS IN PUBLIC SCHOOLS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Wood for the Committee on Education:

H.B. 917, A BILL TO BE ENTITLED AN ACT TO ENACT THE LITERACY RESTORATION ACT OF 1995, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

By Representatives Berry and Howard for the Committee on Welfare Reform and Human Resources:

H.B. 479, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE

STATE TO ADOPT THE OPTIONAL FEDERAL AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) FRAUD PREVENTION PROGRAM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

REPORT OF SELECT COMMITTEE ON TORT REFORM

May 4, 1995

To: The Honorable Harold J. Brubaker, Speaker
House of Representatives

From: Representative N. Leo Daughtry, Chairman
Select Committee on Tort Reform

Re: REPORT OF THE SELECT COMMITTEE ON TORT REFORM
HOUSE BILL 637-PRODUCTS LIABILITY AMENDMENTS

The following members being present are:
Representative N. Leo Daughtry, Chairman
Representative Bill Culpepper
Representative Michael Decker
Representative Dewey L. Hill
Representative George W. Miller, Jr.
Representative Charles B. Neely, Jr.
Representative Billy Richardson
Representative Fern H. Shubert
Representative Carolyn B. Russell

As chairman of the Select Committee on Tort Reform and on behalf of the membership of the Select Committee, I report that the Committee met in session on May 4, 1995. We have reviewed and considered the contents of House Bill 637 assigned to our committee and are ready to make the following recommendation:

House Bill 637, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY, with a favorable recommendation as to the proposed committee substitute bill, unfavorable as

to the original bill.

S/ N. Leo Daughtry

Without objection, the Chair forwards the report and the bill to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 922, A BILL TO BE ENTITLED AN ACT TO REFORM THE ELECTION LAWS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 416, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT IMMUNITY FROM LIABILITY FOR AGENCIES SUPERVISING COMMUNITY SERVICE WORK INCLUDES CLAIMS FROM PERSONS WORKING UNDER A DEFERRED PROSECUTION AGREEMENT, PERSONS ON PROBATION AND PERSONS ON PAROLE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 545, A BILL TO BE ENTITLED AN ACT TO BROADEN THE LAW PROVIDING FOR THE ESTABLISHMENT OF CARTWAYS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 8.

H.B. 783, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF CERTAIN PERMITS ON SCHOOL PROPERTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 8.

Committee Substitute for **H.B. 817,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PERFORMANCE OF ENVIRONMENTAL AUDITS BY PROVIDING A LIMITED PRIVILEGE AGAINST THE DISCLOSURE OF AN ENVIRONMENTAL AUDIT REPORT AND TO GRANT IMMUNITY FROM CIVIL AND CRIMINAL PENALTIES TO A PERSON OR OTHER ENTITY THAT VOLUNTARILY DISCLOSES A VIOLATION OF AN ENVIRONMENTAL LAW, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 899, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DISPOSAL OF ABANDONED PROPERTY BY LANDLORDS AND TO AMEND THE LAW OF SUMMARY EJECTMENT BY REDUCING THE TIME ALLOWED FOR A DEFENDANT TO APPEAR IN COURT, BY ALLOWING A LANDLORD TO HAVE UNCLAIMED PROPERTY OF AN EJECTED TENANT PLACED AT THE NEAREST PUBLIC RIGHT-OF-WAY, AND BY REVISING THE APPLICATION OF THE RETALIATORY EVICTION DEFENSE, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 8.

H.B. 919, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S GUN LAWS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Robinson for the Committee on Ways and Means:

Committee Substitute for **H.B. 174,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGISLATIVE CONFIRMATION OF CERTAIN EXECUTIVE APPOINTMENTS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 8.

By Representative McMahan for the Permanent Subcommittee on Community Colleges and Universities of the Standing on Education, with

approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 630, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT INSTITUTION, with a favorable report and having received a unanimous vote in committee, is placed on the Consent Calendar of May 9.

H.B. 914, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TERMS AND CONDITIONS OF OFFICE OF MEMBERS OF THE BOARDS OF TRUSTEES OF COMMUNITY COLLEGES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Having received a unanimous vote in committee, the committee substitute bill is placed on the Consent Calendar of May 9. The original bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Robinson and without objection, Committee Substitute for **H.B. 291,** A BILL TO BE ENTITLED AN ACT TO ENACT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO CLARIFY THE AUTHORITY OF THE BUILDING CODE COUNCIL TO ADOPT PROVISIONS REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF SMOKE DETECTORS, is withdrawn from the Calendar and re-referred to the Committee on Business and Labor.

On motion of Representative Morgan and without objection, **H.B. 236,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE INSURANCE REGULATORY CHARGE, TO INCREASE THE GROSS PREMIUMS TAX TO PARTIALLY OFFSET THE REPEAL OF THE REGULATORY CHARGE, AND TO PROVIDE FOR THE DISPOSITION OF FEES COLLECTED BY THE DEPARTMENT OF INSURANCE, is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

RE-REFERRAL

On motion of Representative Morgan, pursuant to Rule 39.2, **H.B. 227,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

Representative Russell sends forth the Conference Report on Senate Committee Substitute for **H.B. 7,** A BILL TO BE ENTITLED AN ACT TO RESTORE CONSTITUTIONAL POWERS TO THE STATE BOARD OF EDUCATION AND TO MAKE CONFORMING AND TECHNICAL CHANGES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of May 8.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 758,** A BILL TO BE ENTITLED AN ACT TO ADJUST CHARGES BY LENDERS, passes its second reading by electronic vote (82-3).

Representative Hensley objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 340,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INDIVIDUAL WHO IS UNABLE TO PASS A CONTROLLED SUBSTANCE EXAMINATION IS INELIGIBLE FOR UNEMPLOYMENT BENEFITS UNDER CERTAIN CIRCUMSTANCES.

Representative Robinson offers Amendment No. 1 which is adopted by electronic vote (93-0).

The bill, as amended, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

WITHDRAWAL OF OBJECTIONS TO THIRD READING

Representative Gray withdraws his objection to the third reading of **H.B. 908,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE INSTRUCTION IN CHARACTER EDUCATION.

Representative Gray offers Amendment No. 1 which is adopted by electronic vote (86-7).

The bill, as amended, passes its third reading, by electronic vote (87-2), and is ordered engrossed and sent to the Senate.

Representative Hensley withdraws his objection to the third reading of **H.B. 758,** A BILL TO BE ENTITLED AN ACT TO ADJUST CHARGES BY LENDERS.

The bill, passes its third reading, by electronic vote (88-1), and is ordered sent to the Senate.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 135, A BILL TO BE ENTITLED AN ACT TO MAKE CONFIDENTIAL ALL PHOTOGRAPHIC IMAGES RECORDED BY THE DIVISION OF MOTOR VEHICLES FOR DRIVERS LICENSES, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 134,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MOTOR VEHICLE LAWS AND OTHER LAWS CONCERNING THE DEPARTMENT OF TRANSPORTATION, passes its second reading by electronic vote (95-4).

Representative Robinson objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 210,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE DISMISSAL AND DEMOTION OF TEACHERS, TO IMPROVE THE EVALUATION OF TEACHER PERFORMANCE, TO PROVIDE FOR A PROFESSIONAL IMPROVEMENT PERIOD WHEN A TEACHER RECEIVES AN UNSATISFACTORY EVALUATION, AND TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP AN INCENTIVE PLAN TO REWARD OUTSTANDING TEACHERS.

Representative Hiatt offers Amendment No. 1.

Representative Morgan calls the previous question on the amendment and the call is sustained by electronic vote (77-20).

Amendment No. 1 is adopted by electronic vote (55-45).

On motion of Representative Arnold and without objection, the bill, as amended, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operation of the House.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 837,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE TIME LIMIT WITHIN WHICH MOTOR VEHICLE MANUFACTURERS AND DISTRIBUTORS MAY AUDIT AND CHARGEBACK DEALERS FOR WARRANTY REPAIRS, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 846, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT STATE LEGISLATIVE AND CONGRESSIONAL REDISTRICTING PLANS MAY NOT DIVIDE PRECINCTS UNLESS A PLAN HAS BEEN REJECTED UNDER SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AND IF SO REJECTED, ONLY THE MINIMUM NUMBER OF PRECINCTS ARE DIVIDED IN A SUBSEQUENT PLAN AS ARE REQUIRED TO OBTAIN APPROVAL, passes its second reading, by electronic vote (91-8), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 832,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MEANING OF CRITICAL HABITAT AND TO LIMIT THE DESIGNATION OF CRITICAL HABITAT BY THE WILDLIFE RESOURCES COMMISSION.

Representative Hackney offers Amendment No. 1 which fails of adoption by electronic vote (30-68).

The bill passes its second reading by electronic vote (76-22).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 767,** A BILL TO BE ENTITLED AN ACT PROMOTING THE USE OF THE EDDIE EAGLE ELEMENTARY GUN SAFETY EDUCATION PROGRAM IN STATE'S ELEMENTARY SCHOOLS.

Representative Mitchell offers Amendment No. 1 which is adopted by electronic vote (93-6).

The bill, as amended, passes its second reading, by electronic vote (94-6), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 136, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE EXEMPTION FOR REAL ESTATE ACQUIRED BY THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT THAT IT BE APPRAISED BY A LICENSED OR CERTIFIED APPRAISER WHEN THE ESTIMATED VALUE OF THE REAL ESTATE IS LESS THAN TEN THOUSAND DOLLARS, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 220,** A BILL TO BE ENTITLED AN ACT REQUIRING JUST COMPENSATION FOR TAKING OF OUTDOOR ADVERTISING.

Representatives Fox, Neely, and Morgan request that they be excused from voting on this bill under Rule 24.1A and these requests are granted.

On motion of Representative K. Miller, Committee Amendment No. 1 is adopted by electronic vote (88-1).

On motion of Representative G. Wilson, Committee Amendment No. 2 is adopted by electronic vote (92-1).

On motion of Representative Alexander, Committee Amendment No. 3 is adopted by electronic vote (63-27).

On motion of Representative Hackney, Committee Amendment No. 4 is adopted by electronic vote (89-5).

Representative G. Wilson calls the previous question on the passage of the bill and the call is sustained by electronic vote (66-27).

The bill, as amended, passes its second reading by electronic vote (68-25).

Representative Richardson objects to the third reading. The bill remains on the Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Culp for the Committee on Public Employees:

Committee Substitute for **H.B. 439,** A BILL TO BE ENTITLED AN ACT TO ENHANCE THE BENEFITS PROVIDED UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, with a favorable report as to committee substitute bill,

unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 539, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON ANNEXATION IN BUNCOMBE COUNTY IF REQUESTED BY RESIDENTS OF THE AREA TO BE ANNEXED, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 619, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO SUBMIT PROPOSALS AND RECEIVE CONTRACTS FOR CONSTRUCTION AND REPAIR WORK NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

H.B. 693, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON INVOLUNTARY ANNEXATIONS WITHIN CERTAIN COUNTIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Miner for the Committee on Transportation:

H.B. 338, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SEAT BELTS WILL BE INSPECTED AS PART OF THE ANNUAL MOTOR VEHICLE SAFETY INSPECTION, with a favorable report as to

committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

H.B. 787, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF LICENSED PHARMACISTS UNDER HEALTH INSURANCE POLICIES AND PLANS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DISTRICT COURT JUDGES TO SANCTION PARTIES TO EQUITABLE DISTRIBUTION PROCEEDINGS FOR PURPOSEFUL, PREJUDICIAL DELAY OF THE PROCEEDINGS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 270, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAWS PERTAINING TO ALIMONY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION AND THE LRC STUDY COMMITTEE ON FAMILY ISSUES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 686, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES PERTAINING TO DOMESTIC VIOLENCE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 507, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE COLINGTON HARBOUR COMMUNITY IN DARE COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 576,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUMMERFIELD, SUBJECT TO A REFERENDUM, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1, and recommendation that Committee Substitute Bill No. 2 be re-referred to the Committee on Finance

Committee Substitute Bill No. 2 is re-referred to the Committee on Finance. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 590, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MOUNTAIN VIEW, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The orignial bill is placed on the Unfavorable Calendar.

H.B. 603, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION FOR ALAMANCE COUNTY TO ENTER INTO A CONTRACT TO REPAIR THE ALAMANCE COUNTY COURTHOUSE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

H.B. 674, A BILL TO BE ENTITLED AN ACT TO REDUCE FROM ELEVEN TO SEVEN THE NUMBER OF GUILFORD COUNTY COMMISSIONERS AND TO REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

H.B. 710, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTISAN ELECTIONS IN THE CITY OF HIGH POINT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative Miner, Chair for the Standing Committee on Transportation, refers **H.B. 243,** A BILL TO BE ENTITLED AN ACT TO CREATE A NEW OFFENSE OF TRESPASSING ON RAILROAD RIGHTS-OF-WAY, TO INCREASE THE PENALTY FOR FAILURE TO OBEY RAILROAD SIGNALS, AND TO OTHERWISE IMPROVE SAFETY AT RAILROAD CROSSINGS, to the Permanent Subcommittee on Airports, Railways, and Waterways.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 4, 1995

Mr. Speaker:

On **H.B. 7** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE CONSTITUTIONAL POWERS TO THE STATE BOARD OF EDUCATION AND TO MAKE CONFORMING AND TECHNICAL CHANGES, which the Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 7** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUTES SO AS

TO STREAMLINE THE OPERATIONS OF THE STATE EDUCATION AGENCY, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **H.B. 7** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUTES SO AS TO STREAMLINE THE OPERATIONS OF THE STATE EDUCATION AGENCY, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 922,** A BILL TO BE ENTITLED AN ACT TO REFORM THE ELECTION LAWS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRAL

On motion of Representative Neely and without objection, pursuant to Rule 39.2, **H.B. 531,** A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN SECURITIES FROM THE STATE REGISTRATION REQUIREMENTS, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

On motion of Representative Morgan, seconded by Representative Cummings, the House adjourns at 7:18 p.m. to reconvene Monday, May 8, 1995, at 5:00 p.m.

FIFTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 8, 1995

The House meets at 5:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House

Chaplain.

"Our Heavenly Father, this weekend I felt pride, gratitude, and pain sweep over me as we remembered V E Day. I was there as others in this room, just turned eighteen and trying hard to be a man. A war to end all war they said, but there was pain, and fear, and hell.

'In Flanders field where poppies grow -,
Now Normandy, the Bulge, Tarawar, and Iwo,
Stand snow white crosses and stars row on row.
They lived felt dawn, saw sunset glow,
Loved and were loved, but now they sleep in Flanders field.'

What fools we are not to learn from history, and yet we make the same mistakes and worse again. But I'm alive and elected to serve in the State Legislature. Never let me take lightly my job, nor liberty, nor war. But, Father, it was good to be home again. I've so much for which to be grateful.

'Prom nights, and pillow fights,
Sunny days, and cool fresh nights,
Birthday cakes, and Drivers Ed.
Windows washed and horses fed.

'Blue birds feeding their new young,
Sermons preached and old hymns sung,
Bags all packed and a kiss good-bye,
Sorry dear, but I've got to fly.

'We're in this game of bill after bill,
And the plays are all called
For our two month drill,
Can we score? I don't know,
But I sure hope that we will.

'But there's a haunting scene
That lingers still, of my buddy
Who died on that blood red hill
The Medic knelt and prayed and cried by his side,
As he talked of his son and his fresh new bride.

'This government, Lord,
Please help us make it work, if you will,

For the thousands who died
On some blood red hill.' Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 4 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (89-1).

Leaves of absence are granted Representatives Cocklereece and Cunningham for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 572, AN ACT CHANGING THE METHOD OF ELECTION OF THE LAURINBURG CITY COUNCIL. (CHAPTER 65)

H.B. 591, AN ACT TO CHANGE THE MANNER OF ELECTION OF THE STOKES COUNTY BOARD OF EDUCATION TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, AND TO PROVIDE THAT EACH ELECTION, TWO PERSONS SHALL BE ELECTED FOR FOUR-YEAR TERMS AND ONE PERSON SHALL BE ELECTED TO A TWO-YEAR TERM. (CHAPTER 66)

H.B. 595, AN ACT TO PROVIDE FOR THE NONPARTISAN ELECTION OF THE CRAVEN COUNTY BOARD OF EDUCATION. (CHAPTER 67)

H.B. 598, AN ACT TO REVISE PENDER COUNTY COMMISSIONER DISTRICTS. (CHAPTER 68)

H.B. 609, AN ACT TO ALLOW AN EXEMPTION OF TYRRELL COUNTY FROM THE MINIMUM NUMBER OF HOURS ITS BOARD OF ELECTIONS OFFICE MUST BE OPEN. (CHAPTER 69)

H.B. 611, AN ACT TO EXEMPT THE TOWN OF SOUTHERN SHORES FROM CERTAIN STATUTORY REQUIREMENTS IN THE BUILDING OF A TRAINING CENTER FACILITY. (CHAPTER 70)

H.B. 628, AN ACT TO CHANGE THE TIME OF ELECTION OF THE AVERY COUNTY BOARD OF EDUCATION FROM NOVEMBER TO MAY, AND TO PROVIDE THAT THAT BOARD SHALL TAKE OFFICE IN JULY OF THE YEAR OF THEIR ELECTION. (CHAPTER 71)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Daughtry for the Committee on Judiciary I:

H.B. 789, A BILL TO BE ENTITLED AN ACT TO ALLOCATE THE DUTIES OF ROLLER SKATING RINK OPERATORS AND THE DUTIES OF ROLLER SKATERS AT ROLLER SKATING RINKS AS THESE DUTIES RELATE TO SAFETY AND LIABILITY FOR PERSONAL INJURY, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 9.

H.B. 879, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S GUN LAWS BY PREEMPTING LOCAL REGULATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

H.B. 873, A BILL TO BE ENTITLED AN ACT TO LIMIT THE SUBSTANCES THAT APPLICATORS OF PESTICIDES ARE AUTHORIZED TO APPLY AND TO PROVIDE FOR THE PESTICIDE APPLICATOR'S LICENSE TO BE REVOKED, SUSPENDED, OR DENIED FOR VIOLATING THIS LIMITATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 9.

By Representatives Holmes, Creech, and Esposito for the Committee on Appropriations:

Committee Substitute for **H.B. 236,** A BILL TO BE ENTITLED AN

ACT TO REPEAL THE INSURANCE REGULATORY CHARGE, TO INCREASE THE GROSS PREMIUMS TAX TO PARTIALLY OFFSET THE REPEAL OF THE REGULATORY CHARGE, AND TO PROVIDE FOR THE DISPOSITION OF FEES COLLECTED BY THE DEPARTMENT OF INSURANCE, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

H.B. 958, A BILL TO BE ENTITLED AN ACT TO PERMIT PATIENTS TO SELECT PROFESSIONAL LICENSED COUNSELORS AS MENTAL HEALTH PROVIDERS UNDER HEALTH INSURANCE POLICIES, AND TO LIMIT THE EXEMPTION FOR LICENSURE OF COUNSELORS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Berry and Howard for the Committee on Welfare Reform and Human Resources:

H.B. 237, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADOPTION LAWS PERTAINING TO ACCESS TO ADOPTION RECORDS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 848, A BILL TO BE ENTITLED AN ACT TO REQUIRE MINORS ADMITTED TO A TWENTY-FOUR-HOUR FACILITY FOR TREATMENT OF MENTAL ILLNESS OR SUBSTANCE ABUSE TO COMPLETE A PLAN OF TREATMENT BEFORE DISCHARGE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

Committee Substitute for **H.B. 495,** A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY IN ALAMANCE, CUMBERLAND, DAVIE, DAVIDSON, GASTON, LINCOLN, AND WAKE COUNTIES TO INJURE OR KILL A LAW ENFORCEMENT AGENCY ANIMAL, TO CREATE A NEW OFFENSE FOR ASSAULT WITH A FIREARM UPON A LAW ENFORCEMENT AGENCY ANIMAL, AND TO CREATE A NEW OFFENSE FOR SIMPLE ASSAULT OR SIMPLE ASSAULT AND BATTERY UPON A LAW ENFORCEMENT AGENCY ANIMAL, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar for May 9. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives C. Wilson, Gray, and Arnold for the Committee on Finance:

Committee Substitute for **H.B. 490,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNUAL REPORTS OF BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, TO ESTABLISH FEES FOR EXPEDITED FILINGS, TO PROVIDE THAT NONPROFIT CORPORATIONS ARE NOT REQUIRED TO FILE ANNUAL REPORTS, AND TO ALLOW THE SECRETARY OF STATE TO RETAIN FILED DOCUMENTS IN REPRODUCED FORM, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 639,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS UNDER WHICH THE PIEDMONT

TRIAD AIRPORT AUTHORITY REGULATES PARKING AT THE PIEDMONT TRIAD INTERNATIONAL AIRPORT, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar for May 9. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Robinson for the Committee on Business and Labor:

H.B. 341, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REQUIREMENTS FOR INDIVIDUALS TO REPORT WORK SEARCH EFFORTS IN ORDER TO REMAIN ELIGIBLE FOR UNEMPLOYMENT BENEFITS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 9.

H.B. 514, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTIFIED CLINICAL SOCIAL WORKERS TO FORM PROFESSIONAL CORPORATIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

H.B. 995, A BILL TO BE ENTITLED AN ACT TO STIMULATE A SUBSTANTIAL INCREASE IN VENTURE CAPITAL INVESTMENTS IN NORTH CAROLINA BY ALLOWING AN INSURANCE PREMIUMS TAX CREDIT FOR THESE INVESTMENTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Cummings for the Permanent Subcommittee on Preschool, Elementary and Secondary Education:

H.B. 939, A BILL TO BE ENTITLED AN ACT TO REPEAL THE BASIC EDUCATION PROGRAM AND THE OUTCOME-BASED EDUCATION PROGRAM AND REPLACE THEM WITH THE REAL EDUCATION PROGRAM, reported to the Standing Committee on Education with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Sexton, Adams, Arnold, Berry , Blue, Brawley, J. Brown, W. Brown, Cansler, Carpenter, Clary, Cocklereece, Culp, Cunningham, Eddins, Justus, Lemmond, McMahan, K. Miller, Nichols, Pulley, Rayfield, Reynolds, Robinson, Russell, Weatherly, and C. Wilson:

H.B. 1027, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE OF PUBLIC SCHOOL TEXTBOOKS, is referred to the Committee on Appropriations, Subcommittee on Education.

By Representatives Culp, Adams, Dickson, H. Hunter, Mitchell, Owens, Tolson, Wilkins, and Yongue:

H.B. 1028, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA BIOTECHNOLOGY CENTER FOR THE BUSINESS DEVELOPMENT PROGRAM, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representatives Weatherly, J. Brown, Church, Clary, Creech, Culp, Cummings, Davis, Dickson, Hill, Holmes, Hunt, Justus, Locke, Luebke, McMahan, Nichols, Pate, Reynolds, Richardson, Russell, Tallent, Tolson, Wilkins, and Yongue:

H.B. 1029, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS, is referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

By Representative Robinson:

H.B. 1030, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THAT STATE FUNDS APPROPRIATED FOR REGIONAL ECONOMIC DEVELOPMENT COMMISSIONS MAY BE USED TO PAY FEES, DUES, AND ASSESSMENTS FOR PARTICIPATION IN THE COMMISSIONS, is referred to the Committee on Business and Labor.

By Representatives Boyd-McIntyre, Adams, Blue, Braswell, Cocklereece,

Culp, Cunningham, Earle, Fitch, H. Hunter, Michaux, Nye, Oldham, Sharpe, Tolson, Womble, and Wright:

H.B. 1031, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR NORTH CAROLINA A&T STATE UNIVERSITY TO SUPPORT THE PIEDMONT TRIAD CENTER FOR ADVANCED MANUFACTURING AND TO THE STATE BOARD OF COMMUNITY COLLEGES TO ESTABLISH A "SEAMLESS EDUCATION PILOT PROJECT", is referred to the Committee on Appropriations, Subcommittee on Education.

By Representatives K. Miller, Linney, and Reynolds (Co-Sponsors):

H.B. 1032, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO TAX CREDITS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wood:

H.B. 1033, A BILL TO BE ENTITLED AN ACT TO CREATE THE PIEDMONT TRIAD HORIZON EDUCATION CONSORTIUM PUBLIC SCHOOL PILOT PROJECT, is referred to the Committee on Education.

By Representatives Preston, Grady, and Sexton:

H.B. 1034, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXCEPTIONAL CHILDREN, is referred to the Committee on Appropriations.

By Representatives Preston and Grady:

H.B. 1035, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE DEPARTMENT OF COMMUNITY COLLEGES FOR THE CONSTRUCTION AND IMPROVEMENT OF MARINE SCIENCES FACILITIES IN CARTERET COUNTY, is referred to the Committee on Appropriations.

By Representatives Earle, Adams, Alexander, Black, Boyd-McIntyre, Braswell, Clary, Cunningham, Easterling, H. Hunter, McLaughlin, Nye, Shaw, and Womble:

H.B. 1036, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE METROLINA FOOD BANK, INC., FOR CAPITAL AND OPERATING EXPENSES, is referred to the Committee on Appropriations.

By Representative Miner:

H.B. 1037, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA MUSEUM OF HISTORY ASSOCIATES, INC., FOR THE PROMOTION OF MUSEUM MAGIC, is referred to the Committee on Appropriations.

By Representatives Pate, Aldridge, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Cocklereece, Culp, Cummings, Davis, Eddins, Grady, Hiatt, Ives, Kiser, Owens, Rayfield, Russell, Sexton, Sharpe, Sherrill, Warner, Weatherly, and G. Wilson:

H.B. 1038, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF SIX NEW REGIONAL CORRECTIONAL FACILITIES TO CONSOLIDATE THE POPULATIONS OF PRISON FIELD UNITS WITHIN THE DEPARTMENT OF CORRECTION, TO PROVIDE FOR THE CONTRACTING OF PRIVATE PRISONS, TO PROVIDE FOR ANY SUITABLE FACILITIES REMAINING AT THE FIELD UNITS AFTER CONSOLIDATION TO BE USED TO HOUSE PRISONERS ON WORK RELEASE, AND TO PROVIDE THAT PROFITS FROM PRISON ENTERPRISES NOW GOING TO THE GENERAL FUND SHALL BE USED TO ASSIST IN THE OPERATION OF THESE WORK RELEASE FACILITIES, is referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

By Representatives Watson, Bowen, Braswell, Earle, McLaughlin, and Nye:

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A CIVIC CENTER TO BE LOCATED AT THE JAMES SPRUNT COMMUNITY COLLEGE IN DUPLIN COUNTY, is referred to the Committee on Appropriations.

By Representatives Watson, Black, Bowen, Braswell, Earle, Eddins, McLaughlin, Nye, Owens, Pulley, Sexton, Wainwright, Wilkins, and G. Wilson:

H.B. 1040, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS TO STATE AID TO LOCAL SCHOOL ADMINISTRATIVE UNITS FOR SCHOOL NURSES, is referred to the Committee on Appropriations.

By Representatives Owens, Adams, Alexander, Allred, Arnold, Baker, Barnes, Black, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Dickson, Earle, Easterling, Eddins, Edwards, Fox, Gardner, Grady, Hiatt, Hightower, Hill, H. Hunter, Ives, Justus, Kiser, Lemmond, Locke, McAllister, McComas, McCombs, McLaughlin, Nichols, Nye, Oldham, Pate, Pulley, Rayfield, Redwine, Reynolds, Sexton, Sharpe, Sherrill, Sutton, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, and Wright:

H.B. 1041, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DEVELOP OR PURCHASE MODEL PLANS FOR PUBLIC SCHOOLS, is referred to the Committee on Appropriations.

By Representative Allred:

H.B. 1042, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEPARTMENT OF TRANSPORTATION TO CONDUCT AN ENVIRONMENTAL IMPACT STUDY OF THE O'NEAL-ROCKWOOD CONNECTOR IN THE CITY OF BURLINGTON, is referred to the Committee on Appropriations.

By Representative Howard:

H.B. 1043, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FULL EMPLOYMENT PROGRAM FOR RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) AND FOOD STAMPS, TO PROVIDE A NEW EMPLOYER TAX CREDIT AND TO APPROPRIATE FUNDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Boyd-McIntyre, Adams, Cunningham, Earle, Easterling, McLaughlin, Nye, Redwine, Sutton, Tolson, Womble, and Yongue:

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR PLANNING A NEW CLASSROOM AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Black, Buchanan, Grady, Hurley, Luebke, Preston, Sexton, and Warner:

H.B. 1045, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A ONE-YEAR WINDOW FOR RETIREMENT BY MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-EIGHT YEARS OF SERVICE AND TO APPROPRIATE FUNDS TO IMPLEMENT THE ACT, is referred to the Committee on Appropriations.

By Representative Weatherly:

H.B. 1046, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR CAPITAL PROJECTS AND OTHER EXPENSES OF THE INDUSTRIAL COMMISSION, is referred to the Committee on Appropriations.

By Representative Weatherly:

H.B. 1047, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE TO EXPAND THE STAFF OF THE INDUSTRIAL COMMISSION, is referred to the Committee on Appropriations.

By Representatives Easterling, Adams, Boyd-McIntyre, Crawford, Earle, McLaughlin, and Nye:

H.B. 1048, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AID TO FAMILIES WITH DEPENDENT CHILDREN - EMERGENCY ASSISTANCE (AFDC-EA) PROGRAM, is referred to the Committee on Appropriations.

By Representatives H. Hunter, Adams, Cummings, and Fitch:

H.B. 1049, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA ENVIRONMENTAL POLICY ACT, TO IMPROVE PUBLIC NOTICE REQUIREMENTS CONCERNING SITING DECISIONS AND OTHER ENVIRONMENTAL DECISIONS, TO EXPAND THE APPEAL RIGHTS OF PERSONS LIVING IN AREAS AFFECTED BY ENVIRONMENTAL DECISIONS, AND TO DIRECT ACTIONS OF STATE AGENCIES TO IMPROVE PUBLIC ACCESS TO INFORMATION, AND TO ADDRESS ENVIRONMENTAL JUSTICE ISSUES AFFECTING

MINORITY COMMUNITIES AND LOW-INCOME COMMUNITIES, is referred to the Committee on Health and Environment and, if favorable, to the Committee on Appropriations.

By Representatives Davis, Allred, Baker, Barbee, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Cummings, Decker, Dickson, Eddins, Edwards, Fox, Gray, Hayes, Hiatt, Hill, R. Hunter, Linney, Locke, McComas, McMahan, K. Miller, Pate, Pulley, Rayfield, Reynolds, Robinson, Sexton, Sharpe, Shubert, Tallent, Wilkins, C. Wilson, and G. Wilson:

H.J.R. 1050, A JOINT RESOLUTION REPEALING A JOINT RESOLUTION CALLING FOR A FEDERAL CONSTITUTIONAL CONVENTION TO PROPOSE A BALANCED BUDGET AMENDMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cunningham and Adams:

H.B. 1051, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON THE EDUCATION INSTRUCTION PRACTICE OF ABILITY GROUPING AND TRACKING OF STUDENTS AND TO APPROPRIATE FUNDS FOR ITS IMPLEMENTATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Howard:

H.B. 1052, A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) TO PARTICIPATE IN EMPLOYMENT/WORKFARE AND TO APPROPRIATE FUNDS, is referred to the Committee on Welfare Reform and Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives Sharpe and Adams:

H.B. 1053, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX PRESCRIPTION DRUGS SOLD TO PHYSICIANS AND DENTISTS FOR USE IN TREATING THEIR PATIENTS, is referred to the Committee on Finance.

By Representative Buchanan:

H.B. 1054, A BILL TO BE ENTITLED AN ACT TO AFFECT THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 180,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM PAYMENT DUE TO THE EMPLOYMENT SECURITY COMMISSION FROM ONE DOLLAR TO FIVE DOLLARS, TO AUTHORIZE CERTAIN BUSINESSES TO FILE ANNUAL REPORTS WITH THE EMPLOYMENT SECURITY COMMISSION RATHER THAN QUARTERLY REPORTS, AND TO AUTHORIZE CERTAIN BUSINESSES THAT ARE ALLOWED TO FILE ANNUAL REPORTS TO FILE BY TELEPHONE, is read the first time and referred to the Committee on Finance.

S.B. 459, A BILL TO BE ENTITLED AN ACT TO AMEND THE BAIL BOND FORFEITURE PROCEDURE PROVIDED BY ARTICLE 26 OF CHAPTER 15A OF THE GENERAL STATUTES, is read the first time and referred to the Committee on Judiciary II.

S.B. 477, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA FOREIGN-MONEY CLAIMS ACT, WHICH ACT ESTABLISHES A STANDARD FOR CONVERTING CURRENCY FOR MONETARY DAMAGES RESULTING FROM A FOREIGN JUDICIAL PROCEEDING OR ARBITRATION, is read the first time and referred to the Committee on Judiciary I.

S.B. 505, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE GROUNDS FOR REMOVAL OF A MEMBER OF A LOCAL BOARD OF HEALTH, is read the first time and referred to the Committee on Judiciary I.

S.B. 693, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO IMPROVE THE ADMINISTRATION OF THE PROPERTY TAX ON MOTOR VEHICLES, is read the first time and referred to the Committee on Finance.

S.B. 764, A BILL TO BE ENTITLED AN ACT TO MAKE ADJUSTMENTS IN THE DEER MANAGEMENT ASSISTANCE PROGRAM OF THE WILDLIFE RESOURCES COMMISSION, is read the

first time and referred to the Committee on Health and Environment.

S.B. 838, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE YOUNG MEN'S CHRISTIAN ASSOCIATION AND THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT, is read the first time and referred to the Committee on Finance.

INTRODUCTION OF PAGES

Pages for the week of May 8-11 are introduced to the membership. They are: Anna Braswell of Rowan; Jessica Lynne Breeden of Scotland; William Brown of Guilford; Sarah Cone of Onslow; Bryan Cone of Onslow; Peyton Hill of Wake; Jo Anna Hill of Wake; Jocelyn Gaines of Lee; Jessica Keilson of Wake; Leslie Ann Newnam of Wake; Jennifer Parrish of Wilkes; Daniel Ruhl of Harnett; Tarah Ruhl of Harnett; Nathan Sasser of Wake; and Britt Treece of Wake.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Russell moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 7

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 7, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUTES SO AS TO STREAMLINE THE OPERATIONS OF THE STATE EDUCATION AGENCY, Senate Education/Higher Education Committee Substitute Adopted 4/17/95, submit the following report:

The House and Senate agree to the following amendments to the Senate

Committee Substitute, Senate Education/Higher Education Committee Substitute Adopted 4/17/95, and the House concurs in the Senate Committee Substitute as amended:

on page 1, lines 5-16, by deleting the lines, and by renumbering the remaining sections;

on page 2, line 1, by adding before the word "Subject", the following new sentence:

"As secretary and chief administrative officer of the State Board of Education, the Superintendent manages on a day-to-day basis the administration of the free public school system, subject to the direction, control, and approval of the State Board.";

and on page 4, line 27, by deleting the word "May" and by substituting the word "June".

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: May 4, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Beverly M. Perdue	S/ Carolyn B. Russell
S/ Teena S. Little	S/ Anne C. Barnes
S/ J. Clark Plexico	S/ Rick L. Eddins
S/ Leslie Winner	S/ Steve Wood

The Conference Report, which changes the title, is adopted, by electronic vote (78-26), and the Senate is so notified by Special Message.

The Senate having previously adopted the Conference Report, the bill is ordered enrolled.

H.B. 337, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTROLLED ACCESS COMMUNITY FISHING LICENSES IN TRANSYLVANIA COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Culp, Culpepper, Cummings, Davis, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Cocklereece, Cunningham, and Linney - 3.

Committee Substitute for **H.B. 615,** A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF STANFIELD, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Crawford, Culp, Culpepper, Cummings, Daughtry, Davis, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Ives, Justus, Kiser, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 99.

Voting in the negative: None.

Excused absences: Representatives Cocklereece, Cunningham, and

Linney - 3.

Committee Substitute for **H.B. 596,** A BILL TO BE ENTITLED AN ACT TO DESCRIBE THE CORPORATE LIMITS OF THE CITY OF NEW BERN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Cocklereece, Cunningham, and Linney - 3.

H.B. 68, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF BEECH MOUNTAIN TO REQUIRE THAT CERTAIN RENTAL RESIDENTIAL DWELLING UNITS HAVE SMOKE DETECTORS AND FIRE EXTINGUISHERS.

On motion of Representative Thompson, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative McMahan and without objection, Committee Substitute for **H.B. 619,** A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CHARLOTTE-MECKLENBURG SCHOOL ADMINISTRATIVE UNITS FROM CERTAIN STATUTORY REQUIREMENTS IN SOME SCHOOL CONSTRUCTION CONTRACTS, is withdrawn from the Calendar and placed on the Calendar of May 9.

CALENDAR (continued)

H.B. 470, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION TO THE NEW BERN CIVIL SERVICE PROVISIONS FOR POLICE TO DELETE OLD REPEALED MATERIAL INADVERTENTLY APPEARING IN A 1993 REWRITE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 69, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF BEECH MOUNTAIN TO MAKE STREET ASSESSMENTS WITHOUT FIRST RECEIVING A PETITION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 575,** A BILL TO BE ENTITLED AN ACT TO REMOVE THE TOWN OF KERNERSVILLE'S LOCAL MODIFICATIONS TO G.S. 58-84-35, FORMERLY G.S. 118-7, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 498, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE WITH RESPECT TO THE DISPOSITION OF REAL PROPERTY TO PERSONS OF LOW OR MODERATE INCOME, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 583,** A BILL TO BE ENTITLED AN ACT RELATING TO THE ALAMANCE COUNTY PUBLIC LAW LIBRARY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 507,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY ON STREETS OWNED BY THE COLINGTON HARBOUR ASSOCIATION, INC., IN DARE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 603,** A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION FOR ALAMANCE COUNTY TO ENTER INTO A CONTRACT TO REPAIR THE ALAMANCE COUNTY COURTHOUSE AND TO PROVIDE THAT THE COUNTY OF EDGECOMBE MAY USE THE DESIGN/BUILD DELIVERY SYSTEM FOR THE CONSTRUCTION OF A COUNTY DETENTION FACILITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 674,** A BILL TO BE ENTITLED AN ACT TO REDUCE FROM ELEVEN TO SEVEN THE NUMBER OF GUILFORD COUNTY COMMISSIONERS AND TO REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS, SUBJECT TO A REFERENDUM.

On motion of Representative Wood, the bill is temporarily displaced.

Committee Substitute for **H.B. 710,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTISAN ELECTIONS IN THE CITY OF HIGH POINT, IF APPROVED BY REFERENDUM.

Representative Adams calls for the "ayes" and "noes" and requests that the

vote be spread upon the Journal. The Speaker so orders.

The bill passes its second reading by the following vote.

Those voting in the affirmative are: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Ives, Justus, Kiser, Lemmond, McAllister, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 67.

Voting in the negative: Representatives Adams, Alexander, Barnes, Beall, Blue, Boyd-McIntyre, Braswell, W. Brown, Crawford, Cummings, Earle, Easterling, Fox, Gamble, Hackney, Hensley, Hightower, Hunt, R. Hunter, Hurley, Locke, Luebke, McCrary, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Shaw, Sutton, Tolson, Wainwright, Warner, Womble, Wright, and Yongue - 40.

Excused absences: Representatives Cocklereece, Cunningham, and Linney - 3.

Representative Adams objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 10,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE TO THE PEOPLE THE POWER OF INITIATIVE.

Representative Redwine offers Amendment No. 1.

Representative Redwine calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

Representative Redwine calls the previous question on the amendment and the call is sustained by electronic vote (91-14).

Amendment No. 1 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Berry, Black, Blue, Boyd-McIntyre, Braswell, W. Brown, Crawford, Culpepper, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, R. Hunter, Hurley, Lemmond, Luebke, McCrary, Michaux, G. Miller, Miner, Nichols, Oldham, Owens, Redwine, Richardson, Rogers, Sexton, Shaw, Sutton, Wainwright, Warner, Wilkins, Womble, Wright, and Yongue - 44.

Voting in the negative: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Beall, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Locke, McCombs, McLaughlin, McMahan, Mercer, Mitchell, Morgan, Neely, Nye, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Robinson, Russell, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 63.

Excused absences: Representatives Cocklereece, Cunningham, and Linney - 3.

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (71-37).

The bill fails of a three-fifths majority by the following vote.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Locke, McComas, McCombs, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Warner, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 70.

Voting in the negative: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hunt, R. Hunter, Hurley, Lee, Luebke, McAllister, McCrary, McLaughlin, Michaux, G. Miller, Oldham, Ramsey, Redwine, Richardson,

Rogers, Sutton, Tolson, Wainwright, Wilkins, Womble, Wright, and Yongue - 42.

Excused absences: Representatives Cocklereece, Cunningham, and Linney - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 38, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE A TWO-THIRDS VOTE OF EACH HOUSE OF THE GENERAL ASSEMBLY TO LEVY OR INCREASE TAXES.

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (87-27).

The bill fails of a three-fifths majority by the following vote.

Those voting in the affirmative are: Representatives Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 66.

Voting in the negative: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, Wright, and Yongue - 49.

Excused absences: Representatives Cocklereece and Linney - 2.

Committee Substitute for **H.B. 12,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO LIMIT MEMBERS OF THE LEGISLATURE TO SIX CONSECUTIVE TERMS IN A HOUSE.

Representative Blue offers Amendment No. 1 which is adopted by electronic vote (63-52).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Barbee, Berry, Black, Bowie, Brawley, J. Brown, W. Brown, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gamble, Gardner, Grady, Hayes, Hiatt, Hill, Howard, Hurley, Ives, Justus, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wood - 75.

Voting in the negative: Representatives Adams, Alexander, Baker, Barnes, Beall, Blue, Bowen, Boyd-McIntyre, Braswell, Buchanan, Cunningham, Earle, Easterling, Fitch, Gray, Hackney, Hensley, Hightower, Holmes, Hunt, H. Hunter, R. Hunter, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Rayfield, Redwine, Shaw, Sutton, Tolson, Wainwright, Womble, Wright, and Yongue - 40.

Excused absences: Representatives Cocklereece and Linney - 2.

Representative Fox states that his voting equipment malfunctioned and requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (76-40).

Committee Substitute for **H.B. 106,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO SERVICE IN THOSE OFFICES, RESPECTIVELY, TO TWO CONSECUTIVE GENERAL ASSEMBLIES.

On motion of the Chair and without objection, the bill is temporarily displaced.

Committee Substitute for **H.B. 134,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MOTOR VEHICLE LAWS AND OTHER LAWS CONCERNING THE

DEPARTMENT OF TRANSPORTATION, passes its third reading, by electronic vote (108-1), and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 106,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO SERVICE IN THOSE OFFICES, RESPECTIVELY, TO TWO CONSECUTIVE GENERAL ASSEMBLIES, which was temporarily displaced, is before the Body.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Barbee, Berry, Black, Blue, Bowen, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Hayes, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lemmond, McComas, McLaughlin, McMahan, Mercer, Miner, Morgan, Neely, Nichols, Nye, Oldham, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, Robinson, Russell, Sexton, Sharpe, Shaw, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, and G. Wilson - 78.

Voting in the negative: Representatives Adams, Baker, Beall, Boyd-McIntyre, Braswell, W. Brown, Earle, Easterling, Fitch, Gray, Hackney, Hensley, Hunt, Lee, Locke, Luebke, McAllister, McCombs, McCrary, Michaux, G. Miller, Mitchell, Owens, Ramsey, Sutton, Womble, Wright, and Yongue - 28.

Excused absences: Representatives Cocklereece and Linney - 2.

H.B. 481, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARENTAL OR JUDICIAL CONSENT FOR AN UNEMANCIPATED MINOR'S ABORTION.

Representative Sutton offers Amendment No. 2.

Representative Sutton calls the previous question on the amendment.

Representative Decker inquires of the Chair if Representative Sutton was recognized for a motion. The Speaker states that he was.

The call for the previous question is sustained by electronic vote (93-16).

Amendment No. 2 is adopted by electronic vote (64-44).

Representative Decker calls the previous question on the passage of the bill and the call is sustained by electronic vote (88-22).

The bill, as amended, passes its third reading, by electronic vote (85-27), and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 832,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MEANING OF CRITICAL HABITAT AND TO LIMIT THE DESIGNATION OF CRITICAL HABITAT BY THE WILDLIFE RESOURCES COMMISSION.

Representative Nichols offers Amendment No. 2 which is adopted by electronic vote (108-0).

The bill, as amended, passes its third reading, by electronic vote (87-21), and is ordered engrossed and sent to the Senate by Special Message.

Representatives Luebke and Boyd-McIntyre state that their voting equipment malfunctioned and they request to be recorded as voting "no". Representative Ives states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". These requests are granted. The adjusted vote total is (87-22).

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative G. Wilson and without objection, Committee Substitute for **H.B. 220,** A BILL TO BE ENTITLED AN ACT REQUIRING JUST COMPENSATION FOR TAKING OF OUTDOOR ADVERTISING, is withdrawn from the Calendar and placed on the Calendar of May 11.

On motion of Representative Barbee and without objection, Committee Substitute for **H.B. 844,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAW, is withdrawn from the Calendar and placed on the Calendar of May 10.

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 693,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON ANNEXATION IN BARCLAY DOWNS,

LYNNWOOD ESTATES, AND HODGE ROAD IN WAKE COUNTY IF REQUESTED BY RESIDENTS OF THE AREA TO BE ANNEXED, is withdrawn from the Calendar and re-referred to the Committee on Finance.

RE-REFERRAL

On motion of Representative Morgan and without objection, **H.B. 338,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LEGISLATIVE RESEARCH COMMISSION SHALL STUDY MAKING SEAT BELTS AND AIR BAG INSPECTIONS A PART OF THE ANNUAL MOTOR VEHICLE SAFETY INSPECTION, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 150,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR DRUG SALES, is withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

CALENDAR (continued)

Committee Substitute for **H.B. 174,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGISLATIVE CONFIRMATION OF CERTAIN EXECUTIVE APPOINTMENTS.

Representative Black offers Amendment No. 1 which is adopted by electronic vote (106-2).

The bill, as amended, passes its third reading, by electronic vote (102-9), and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 718, A BILL TO BE ENTITLED AN ACT TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 759, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A HOME FOR THE AGED, SICK, OR INFIRM WHOSE PROPERTY IS EXEMPT FROM PROPERTY TAX IS ALLOWED A REFUND OF STATE AND LOCAL SALES AND USE TAXES.

Representative Gray offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (105-2), and there being no objection is read a third time.

On motion of Representative Fitch and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 496,** A BILL TO BE ENTITLED AN ACT TO CREATE AN OFFENSE OF COMMUNICATING THREATS TO A SCHOOL BUS DRIVER AND ASSAULTING A SCHOOL BUS DRIVER AND OTHER SCHOOL PERSONNEL, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 491,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REEXAMINATION BY THE ENVIRONMENTAL MANAGEMENT COMMISSION OF THE CLASSIFICATION OF CERTAIN WATER SUPPLY WATERSHEDS THAT MEET THE STANDARDS OF MORE THAN ONE CLASSIFICATION AND TO RECLASSIFY THOSE WATERSHEDS ACCORDINGLY, passes its second reading, by electronic vote (102-7), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 759, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A HOME FOR THE AGED, SICK, OR INFIRM WHOSE PROPERTY IS

EXEMPT FROM PROPERTY TAX IS ALLOWED A REFUND OF STATE AND LOCAL SALES AND USE TAXES, which was temporarily displaced, is before the Body.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 434,** A BILL TO BE ENTITLED AN ACT TO LIMIT, TO MODIFY, AND ENHANCE THE ATTEMPTING TO ELUDE ARREST STATUTES, passes its second reading, by electronic vote (101-7), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 730,** A BILL TO BE ENTITLED AN ACT TO PREVENT FRIVOLOUS MEDICAL MALPRACTICE ACTIONS BY REQUIRING THAT EXPERT WITNESSES IN MEDICAL MALPRACTICE CASES HAVE APPROPRIATE QUALIFICATIONS TO TESTIFY ON THE STANDARD OF CARE AT ISSUE AND TO REQUIRE EXPERT WITNESS REVIEW AS A CONDITION OF FILING A MEDICAL MALPRACTICE ACTION.

Representative Richardson offers Amendment No. 1 which is adopted by electronic vote (103-7).

Representative Neely calls the previous question on the passage of the bill and the call is sustained by electronic vote (91-22).

The bill, as amended, passes its second reading by electronic vote (82-33).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 858,** A BILL TO BE ENTITLED AN ACT TO ALLOW REGISTERED VOTERS TO CHOOSE ON PRIMARY

DAY THE PARTY IN WHOSE PRIMARY THEY WILL VOTE.

On motion of Representative Miner and without objection, consideration of the bill is postponed until May 10.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 328,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR FAILURE TO GIVE WAY TO AN OVERTAKING VEHICLE.

Representative Hightower moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Transportation.

Representative Rayfield calls the previous question on the motion and the call is sustained by electronic vote (82-20).

The motion to re-refer fails by electronic vote (41-70).

Representative Rayfield calls the previous question on the passage of the bill and the call is sustained by electronic vote (86-23).

The bill passes its second reading by electronic vote (70-42).

Representative Brawley objects to the third reading. The bill remains on the Calendar.

RE-REFERRALS

On motion of Representative Morgan and without objection, **H.B. 906,** A BILL TO BE ENTITLED AN ACT TO ENSURE THAT EDUCATIONAL MATERIALS THAT ARE EDUCATIONALLY UNSUITABLE, PERVASIVELY VULGAR, OR INAPPROPRIATE TO THE AGE, MATURITY, OR GRADE LEVEL OF THE STUDENTS ARE REMOVED FROM THE PUBLIC SCHOOLS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Education.

On motion of Representative Morgan and without objection, **H.B. 624,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE ABORTION MAY BE PERFORMED, is withdrawn from the Committee on Judiciary I and

re-referred to the Committee on Health and Environment.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 903, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TIME LIMIT WITHIN WHICH MOTOR VEHICLE MANUFACTURERS AND DISTRIBUTORS MAY AUDIT AND CHARGEBACK DEALERS FOR WARRANTY REPAIRS, passes its second reading, by electronic vote (107-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Objection having been raised, pursuant to Rule 40(b), **H.B. 97,** A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON REVERSE MORTGAGES, is removed from today's Consent Calendar and placed on the regular Calendar.

The bill passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 751, A BILL TO BE ENTITLED AN ACT TO ALLOW A CONTRACT BETWEEN A REAL ESTATE BROKER AND A REAL ESTATE SALESMAN TO INCLUDE A PROVISION TO REIMBURSE THE REAL ESTATE BROKER FOR THE COST OF INCLUDING THE SALESMAN UNDER THE BROKER'S WORKERS' COMPENSATION COVERAGE OF THE BROKER'S BUSINESS, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 970, A BILL TO BE ENTITLED AN ACT TO PERMIT EMPLOYERS TO CONDUCT ON-SITE DRUG TESTING UNDER CERTAIN CIRCUMSTANCES, passes its second reading by electronic vote

(104-10).

Representative Hensley objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 463,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO INVESTIGATE AND REPORT ON THE NUMBER OF EQUITABLE DISTRIBUTION CASES PENDING ACROSS THE STATE AND THE REASONS FOR DELAYS IN DISPOSITION OF THE CASES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 13,** A BILL TO BE ENTITLED AN ACT TO STATUTORILY LIMIT BALLOT ACCESS TO MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES AND UNITED STATES SENATE BASED ON PRIOR TERMS.

Representative Ellis offers Amendment No. 1.

Representative Ellis calls the previous question on the amendment and the call is sustained by electronic vote (94-21).

Amendment No. 1 is adopted by electronic vote (78-38).

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 467, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR AND TO INCREASE THE CRIMINAL PENALTY FOR PROMOTING PROSTITUTION OF A MINOR, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 468, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 534, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EVIDENCE THAT A MOTOR VEHICLE PASSED A STOPPED SCHOOL BUS IS PRIMA FACIE EVIDENCE THAT THE OWNER OF THE VEHICLE WAS OPERATING IT AT THE TIME OF THE VIOLATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 907, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE AND ITS POLITICAL SUBDIVISIONS TO BE SUBJECT TO STATUTES OF LIMITATION AND REPOSE FOR CERTAIN CIVIL ACTIONS AND TO PROVIDE A TEN-YEAR STATUTE OF LIMITATION FOR THOSE SAME ACTIONS BROUGHT BY THE STATE OR A POLITICAL SUBDIVISION OF THE STATE WHEN THE FUNCTION AT ISSUE IS GOVERNMENTAL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 9.

By Representative Nichols for the Committee on Health and Environment:

H.B. 805, A BILL TO BE ENTITLED AN ACT TO RESTORE MINIMUM PENALTIES FOR MAJOR WILDLIFE OFFENSES AND TO MAKE OTHER MINOR REVISIONS TO THE PENALTY PROVISIONS FOR WILDLIFE OFFENSES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 890, A BILL TO BE ENTITLED AN ACT TO CHANGE THE EDUCATION REQUIREMENTS FOR REGISTERED SANITARIANS AND TO REQUIRE THE DEPARTMENT OF COMMUNITY COLLEGES TO ESTABLISH A PROGRAM TO INSTRUCT INDIVIDUALS WHO SEEK TO BECOME REGISTERED SANITARIANS, with an indefinite postponement report.

H.B. 912, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 11 OF CHAPTER 130A OF THE GENERAL STATUTES REGARDING WASTEWATER SYSTEMS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 934, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND RELATED LAWS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

H.B. 893, A BILL TO BE ENTITLED AN ACT TO REVISE THE ENVIRONMENTAL PERMIT APPEALS PROCESS BY CLARIFYING WHO IS ELIGIBLE TO INITIATE A CONTESTED CASE CONCERNING SUCH PERMITS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 637, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

By Representative Dickson for the Committee on Public Utilities.

H.B. 556, A BILL TO BE ENTITLED AN ACT TO ENABLE JOINT MUNICIPAL POWER AGENCIES TO ENGAGE IN ELECTRIC SYSTEM ACTIVITIES AT THE DISTRIBUTION LEVEL, TO PERMIT TWO EXISTING JOINT MUNICIPAL POWER AGENCIES TO EFFECT

CORPORATE REORGANIZATION, AND TO MAKE TECHNICAL CHANGES TO THE STATUTES GOVERNING JOINT MUNICIPAL POWER AGENCIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 792, A BILL TO BE ENTITLED AN ACT TO DIRECT THE UTILITIES COMMISSION TO PROVIDE THAT EACH FRANCHISED NATURAL GAS DISTRIBUTION COMPANY SHALL EXPAND SERVICE TO ALL AREAS OF ITS FRANCHISE TERRITORY WITHIN THREE YEARS OR LOSE ITS EXCLUSIVE RIGHTS TO THE FRANCHISE TERRITORY, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 9.

By Representative Cummings for the Permanent Subcommittee on Preschool, Elementary and Secondary Education of the Standing Committee on Education with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 878, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARENTAL CONSENT FOR SERVICES PROVIDED AT SCHOOL-BASED HEALTH CLINICS AND TO LIMIT THE SCOPE OF THE SERVICES PROVIDED, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Robinson for the Committee on Business and Labor:

H.B. 461, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF RED LIGHTS ON VEHICLES TRANSPORTING BLOOD, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 849, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF ABC PERMITS AT SPORTS CLUBS IN CERTAIN COUNTIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 265, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY A PRIVATE PROCESS SERVER WHEN A PROPER OFFICER RETURNS SERVICE OF PROCESS UNEXECUTED, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 757, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA PLANNED COMMUNITY ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 940, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES RELATING TO CRIMINAL AND CIVIL PROCEDURE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative Neely and without objection, pursuant to Rule 39.2, the following bills are withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

H.B. 267, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ENFORCEMENT OF AN ORDER FOR RESTITUTION IN A CRIMINAL CASE IN THE SAME MANNER AS A CIVIL JUDGMENT; and

H.B. 268, A BILL TO BE ENTITLED AN ACT TO RECONFORM THE MILEAGE REIMBURSEMENT FOR OUT-OF-STATE WITNESSES TO THAT RECEIVED BY IN-STATE WITNESSES AND STATE

EMPLOYEES.

On motion of Representative Dockham, seconded by Representative J. Brown, the House adjourns at 10:00 p.m. to reconvene May 9 at 1:00 p.m.

SIXTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 9, 1995

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, thank You for the gift of life again today, and thank You for the privilege of being here. I'm learning a little more each day about this lawmaking business, and one thing is that these men and women here love their work. They enjoy what they are doing. And then I'm learning too that things aren't always what they seem to be, for instance, some things are good politics, but terrible government, others are good government, but aren't good politics. And Father, it takes Your grace and Your intervention to get the right combination together. This may be a fun place to be, but it's about as serious a job as one could have. For those of us who believe, a hymn comes to mind:

'Jesus, Savior pilot me
Over life's tempestuous sea,
Unknown waves before me roll
Hiding rock and treacherous shoal.
Precious Sovereign of the sea,
Jesus, Savior pilot me.'

"In Thy name we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 8 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (80-0).

Leaves of absence are granted Representatives Cocklereece, Fitch, and Linney for today.

GUESTS

The Speaker extends the courtesies of the floor to the following members of the family of the late Representative Macon Snowden:

Beverly Snowden Lampe, daughter
Rick Lampe, son-in-law
Stephanie and Trevor Lampe, grandchildren

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 7, AN ACT TO CLARIFY THE STATUTES SO AS TO STREAMLINE THE OPERATIONS OF THE STATE EDUCATION AGENCY. (CHAPTER 72)

H.B. 214, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF TARBORO. (CHAPTER 73)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Edwards for the Committee on State Government:

H.B. 785, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE OPEN MEETINGS LAW APPLIES TO ALL PROCEDURES OF THE GENERAL ASSEMBLY INCLUDING THE BUDGET PROCESS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

By Representative Justus for the Permanent Subcommittee on Justice and Public Safety:

Committee Substitute for **H.B. 225,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP AN EDUCATIONAL PROGRAM FOR DIVORCING COUPLES WITH CHILDREN, reported to the Standing Committee on Appropriations with a favorable recommendation.

By Representative Robinson for the Committee on Business and Labor:

H.B. 447, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN AMBULANCE PROVIDER LICENSE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

H.B. 515, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF THE TERM "RELEVANT MARKET AREA" IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

H.B. 601, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE LICENSING REQUIREMENTS FOR CERTAIN PESTICIDE APPLICATORS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

H.B. 707, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A VOCATIONAL TRAINING AND EMPLOYMENT OPPORTUNITY INITIATIVE IN THE COUNTIES OF CARTERET, CRAVEN, JONES, LENOIR, AND PAMLICO AND OTHER ADJACENT COUNTIES THAT MAY CHOOSE TO JOIN IN THE INITIATIVE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 910, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHEN THEY ARE BICYCLE OPERATORS OR PASSENGERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

By Representative J. Brown for the Committee on Agriculture:

H.B. 406, A BILL TO BE ENTITLED AN ACT TO ADOPT THE SWEET POTATO AS THE OFFICIAL STATE VEGETABLE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 913, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRELITIGATION MEDIATION OF FARM DISPUTES REGARDING NUISANCE CLAIMS, with a favorable report, as amended.

On motion of Representative Mitchell, Committee Amendment No. 1 is adopted by electronic vote (95-0).

On motion of the Chair, pursuant to Rule 38(b), the bill is ordered engrossed and re-referred to the Committee on Finance.

S.B. 483, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INSPECTION OF BISON MEAT THAT IS TO BE USED AS FOOD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

H.B. 831, A BILL TO BE ENTITLED AN ACT TO ALLOW AREA MENTAL HEALTH AUTHORITIES TO USE STATE FUNDS FOR THE USE OF MORE TYPES OF FACILITIES AND FOR FACILITIES OPERATED BY GOVERNMENTAL ENTITIES, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar.

On motion of the Chair, pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

By Representative Neely for the Committee on Judiciary II:

H.B. 273, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT CLAIMS FOR EQUITABLE DISTRIBUTION BE RESOLVED BEFORE A DIVORCE MAY BE GRANTED, with a favorable report as to committee

substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Alexander:

H.J.R. 1055, A JOINT RESOLUTION RECOGNIZING THE ONE HUNDREDTH YEAR OF WOMEN SERVING IN STATE LEGISLATURES AND THE MANY CONTRIBUTIONS WOMEN SERVING OR FORMERLY SERVING, IN VARIOUS CAPACITIES IN THE GENERAL ASSEMBLY OF THE STATE OF NORTH CAROLINA HAVE MADE TO OUR LEGISLATIVE PROCESS, AND HONORING NORTH CAROLINA'S WOMEN LEGISLATORS WHO ARE NOW DECEASED, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Robinson and Earle:

H.J.R. 1056, A JOINT RESOLUTION SUPPORTING THE REPUBLIC OF CHINA ON TAIWAN'S PARTICIPATION IN THE UNITED NATIONS AND OTHER INTERNATIONAL FORUMS SUCH AS MULTILATERAL TRADE ASSOCIATIONS AND HUMANITARIAN RELIEF ORGANIZATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute for **S.B. 26,** A BILL TO BE ENTITLED AN ACT TO ENABLE LOCAL BOARDS OF EDUCATION TO EXPEL FROM SCHOOL THOSE STUDENTS WHOSE CONTINUED PRESENCE IN SCHOOL CONSTITUTES A CLEAR THREAT TO THE SAFETY AND HEALTH OF OTHER STUDENTS OR EMPLOYEES, is read the first time and referred to the Committee on Education.

Senate Committee Substitute for **H.B. 657,** A BILL TO BE ENTITLED

AN ACT MAKING SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN CHATHAM COUNTY, is returned for concurrence in Senate committee substitute and referred to the Committee on Local and Regional Government I.

Committee Substitute for **S.B. 51,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A ONE-YEAR SUSPENSION FOR ANY STUDENT WHO BRINGS CERTAIN WEAPONS ONTO SCHOOL PROPERTY AND TO ALLOW THE SUPERINTENDENT TO MODIFY THE SUSPENSION FOR CHILDREN WITH SPECIAL NEEDS OR BY PROVIDING AN ALTERNATIVE SCHOOL SETTING, is read the first time and referred to the Committee on Education.

Committee Substitute for **S.B. 127,** A BILL TO BE ENTITLED AN ACT TO IMPOSE CRIMINAL PENALTIES FOR THE ABUSE, NEGLECT, OR EXPLOITATION OF DISABLED OR ELDER ADULTS LIVING IN A DOMESTIC SETTING, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 154,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM PROPERTY DAMAGE AMOUNT FOR A REPORTABLE MOTOR VEHICLE ACCIDENT AND TO RESOLVE INCONSISTENCIES IN THE LAW CONCERNING ACCIDENT REPORTS, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 159,** A BILL TO BE ENTITLED AN ACT TO REWRITE CHAPTER 48 OF THE GENERAL STATUTES RELATING TO ADOPTION AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary I.

S.B. 255, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO MOUNT AIRY'S FIREFIGHTERS' SUPPLEMENTARY FUND, is read the first time and referred to the Committee on Pensions and Retirement.

S.B. 323, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OBSERVERS AT A PRECINCT'S VOTING PLACE NEED NOT BE REGISTERED VOTERS IN THAT PRECINCT BUT SHALL BE REGISTERED VOTERS IN THE COUNTY, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 334,** A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE LONG-TERM CARE OMBUDSMAN PROGRAM LAW, THE NURSING HOME COMMUNITY ADVISORY COMMITTEE LAW, AND THE DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEE LAW, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

S.B. 339, A BILL TO BE ENTITLED AN ACT TO GRANT ADDED POWERS TO THE STANLY AIRPORT AUTHORITY RELATED TO CONSTRUCTING AN INDUSTRIAL PARK, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 341, A BILL TO BE ENTITLED AN ACT TO BRING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM INTO COMPLIANCE WITH THE INTERNAL REVENUE CODE AND TO BRING THE SUPPLEMENTAL RETIREMENT INCOME PLANS FOR STATE AND LOCAL LAW ENFORCEMENT OFFICERS INTO COMPLIANCE WITH THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT, is read the first time and referred to the Committee on Pensions and Retirement.

S.B. 428, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE SUPPLEMENTAL WELFARE FUND FOR FIREMEN IN FORSYTH COUNTY, is read the first time and referred to the Committee on Pensions and Retirement.

S.B. 447, A BILL TO BE ENTITLED AN ACT TO PROHIBIT BOARDS OF COUNTY COMMISSIONERS AND CITY COUNCILS FROM APPOINTING MORE THAN ONE OF THEIR OWN MEMBERS TO SERVE ON ANY PUBLIC BOARD OR COMMISSION EXCEPT WHERE A STATUTE REQUIRES A MEMBER OF THAT BOARD TO SERVE, is read the first time and referred to the Committee on State Government.

S.B. 449, A BILL TO BE ENTITLED AN ACT RELATING TO PRACTICE RESTRICTIONS IMPOSED ON HEALTH CARE WORKERS WHO ARE INFECTED WITH HIV OR HEPATITIS B, is read the first time and referred to the Committee on Health and Environment.

S.B. 458, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN

DESCRIBED TERRITORY TO THE CITY OF GREENVILLE, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 471, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE BUNCOMBE COUNTY BOARD OF EDUCATION SHALL BE ELECTED ON A NONPARTISAN PLURALITY BASIS ON THE DATE OF THE GENERAL ELECTION, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 476, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE ASHE COUNTY BOARD OF EDUCATION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 506,** A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, TECHNICAL CHANGES TO VARIOUS PUBLIC HEALTH LAWS, AND TO ESTABLISH A MINIMUM BURIAL DEPTH FOR HUMAN INTERMENT, is read the first time and referred to the Committee on Health and Environment.

S.B. 524, A BILL TO BE ENTITLED AN ACT MAKING SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN ORANGE COUNTY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 530, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY PUBLISH A NOTICE OF A ROAD CLOSURE HEARING RATHER THAN PUBLISHING THE FULL ROAD CLOSURE RESOLUTION AS CURRENTLY REQUIRED BY LAW, is read the first time and referred to the Committee on Transportation.

S.B. 542, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE NONPARTISAN ELECTION OF THE CATAWBA COUNTY BOARD OF EDUCATION BY PLURALITY VOTE AT THE TIME OF THE COUNTY GENERAL ELECTION, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 546, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES TO PROVIDE FOR A NONBINDING DEMOCRATIC PRESIDENTIAL

PRIMARY AT THE TIME OF THE MUNICIPAL ELECTION SO AS TO FOCUS NATIONAL ATTENTION AND AT LEAST A PART OF THE PRESIDENTIAL DEBATE ON URBAN ISSUES, is read the first time and referred to the Committee on Judiciary I.

S.B. 554, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PURCHASE OF GOODS AND SERVICES FOR PERSONS WITH DISABILITIES UNDER PROCEDURES THAT ALLOW FLEXIBILITY TO MEET INDIVIDUAL NEEDS, is read the first time and referred to the Committee on Business and Labor.

S.B. 557, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF PROPERTIES, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 564, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER IN WHICH AN EXECUTION DATE IS RESET FOR A PERSON WHO HAS BEEN SENTENCED TO DEATH AND WHOSE SENTENCE HAS BEEN AFFIRMED AND ANY STAY OF EXECUTION HAS EXPIRED, is read the first time and referred to the Committee on Judiciary II.

S.B. 565, A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE CORRECTIONS OVERSIGHT COMMITTEE TO STUDY THE SALARY CONTINUATION PROGRAM IN THE DEPARTMENT OF CORRECTION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 567, A BILL TO BE ENTITLED AN ACT TO MAKE DOMESTIC VIOLENCE A PRESUMPTIVE FACTOR IN CUSTODY DETERMINATION MATTERS, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 590**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 612,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE BUILDING CODE COUNCIL TO ADOPT

ALTERNATIVE SAFETY SYSTEMS FOR BUILDINGS BUILT PRIOR TO 1953, is read the first time and referred to the Committee on Business and Labor.

Committee Substitute for **S.B. 643,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRIOR NOTICE OF SEWER SYSTEM MORATORIA TO THE AFFECTED UNIT OF GOVERNMENT AND TO THE PUBLIC, is read the first time and referred to the Committee on Health and Environment.

S.B. 649, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SWEET POTATO ASSESSMENTS TO BE PAID BY PRODUCERS OF SWEET POTATOES, is read the first time and referred to the Committee on Agriculture.

S.B. 651, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PERMANENT IDENTIFICATION OF A DEAD BODY, is read the first time and referred to the Committee on Judiciary I.

S.B. 653, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE MEDICAL PRACTICE ACT, is read the first time and referred to the Committee on Health and Environment.

S.B. 664, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF PLYMOUTH, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 682, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF STANDBY GUARDIANS, is read the first time and referred to the Committee on Judiciary II.

S.B. 772, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE OFFICE OF ADMINISTRATIVE HEARINGS MEDIATION PROGRAM, is read the first time and referred to the Committee on Judiciary I.

S.B. 780, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING LICENSE RENEWAL FOR NURSING HOMES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 833, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT VEHICLES MAKING FREQUENT STOPS ON HIGHWAYS BE EQUIPPED WITH FLASHING AMBER LIGHTS, is read the first time and referred to the Committee on Transportation.

S.B. 836, A BILL TO BE ENTITLED AN ACT TO ENHANCE PARENTAL SUPPORT OF CHILDREN BY AMENDING THE LAW PERTAINING TO CIVIL ACTIONS TO ESTABLISH PATERNITY, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

S.B. 843, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES REGARDING ANTITRUST LAW TO ENSURE THAT THESE PROVISIONS ARE INTERNALLY CONSISTENT AND CONSISTENT WITH FEDERAL ANTITRUST LAWS, is read the first time and referred to the Committee on Judiciary II.

S.B. 846, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADVANCE INSTRUCTION FOR MENTAL HEALTH TREATMENT, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

Committee Substitute for **S.B. 858,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING CONTRACTS FOR SCHOOL ADMINISTRATORS, is read the first time and referred to the Committee on Education.

S.B. 865, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE LAWS REGARDING THE PURCHASE OF A HANDGUN TO CONFORM TO THE REQUIREMENTS OF THE "BRADY HANDGUN VIOLENCE PREVENTION ACT", is read the first time and referred to the Committee on Judiciary I.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 674,** A BILL TO BE ENTITLED AN ACT TO REDUCE FROM ELEVEN TO SEVEN THE NUMBER OF GUILFORD COUNTY COMMISSIONERS AND TO REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS, SUBJECT TO A REFERENDUM.

On motion of Representative Wood, the bill is temporarily displaced.

Committee Substitute for **H.B. 13**, A BILL TO BE ENTITLED AN ACT TO STATUTORILY LIMIT BALLOT ACCESS TO MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES AND UNITED STATES SENATE BASED ON PRIOR TERMS.

On motion of the Chair, the bill is temporarily displaced.

H.B. 222, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION TO G.S. 120-70.2 REGARDING FILLING OF VACANCIES ON THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 673,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION, APPOINTMENTS, AND TERMS OF VARIOUS BOARDS, COMMISSIONS, AND AUTHORITIES WITHIN STATE GOVERNMENT, passes its second reading by electronic vote (93-14).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 917,** A BILL TO BE ENTITLED AN ACT TO ENACT THE LITERACY RESTORATION ACT OF 1995.

Representative Decker offers Amendment No. 1 which is adopted by electronic vote (103-8).

Representative Barnes offers Amendment No. 2 which is adopted by electronic vote (105-0).

Representative Luebke inquires of the Chair if a fiscal note should be attached to the bill. The Chair rules that a fiscal note is not necessary.

Representative Decker calls the previous question on the passage of the bill and the call is sustained by electronic vote (84-22).

The bill, as amended, passes its second reading by electronic vote (65-43).

Representative Mitchell objects to the third reading. The bill remains on the Calendar.

H.B. 545, A BILL TO BE ENTITLED AN ACT TO BROADEN THE LAW PROVIDING FOR THE ESTABLISHMENT OF CARTWAYS, passes its second reading by electronic vote (86-20).

Representative Hunt objects to the third reading. The bill remains on the Calendar.

H.B. 783, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF CERTAIN PERMITS ON SCHOOL PROPERTY, passes its second reading by electronic vote (88-12).

Representative Hensley objects to the third reading. The bill remains on the Calendar.

H.B. 899, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DISPOSAL OF ABANDONED PROPERTY BY LANDLORDS AND TO AMEND THE LAW OF SUMMARY EJECTMENT BY REDUCING THE TIME ALLOWED FOR A DEFENDANT TO APPEAR IN COURT, BY ALLOWING A LANDLORD TO HAVE UNCLAIMED PROPERTY OF AN EJECTED TENANT PLACED AT THE NEAREST PUBLIC RIGHT-OF-WAY, AND BY REVISING THE APPLICATION OF THE RETALIATORY EVICTION DEFENSE.

On motion of Representative Ellis, Committee Amendment No. 1 is adopted by electronic vote (100-0).

Representative Sherrill offers Amendment No. 2 which is adopted by electronic vote (106-0).

Representative Hackney offers Amendment No. 3 which is adopted by electronic vote (106-2).

Representative Sherrill calls the previous question on the passage of the bill and the call is sustained by electronic vote (87-20).

The bill, as amended, passes its second reading by electronic vote (96-13).

Representative Womble objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 596,** A BILL TO BE ENTITLED AN ACT TO DESCRIBE THE CORPORATE LIMITS OF THE CITY OF NEW BERN, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 112.

Voting in the negative: Representative Womble.

Excused absences: Representatives Fitch and Linney - 2.

Representative Womble states that his voting equipment malfunctioned and requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (113-0).

Committee Substitute for **H.B. 710,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTISAN ELECTIONS IN THE CITY OF HIGH POINT, IF APPROVED BY REFERENDUM.

Representative Adams moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government II.

Representative Daughtry calls the previous question on the motion and the call is sustained by electronic vote (79-27).

The motion to re-refer fails by electronic vote (47-63).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (80-30).

The bill passes its third reading, by electronic vote (59-52), and is ordered sent to the Senate by Special Message.

Representative Culp states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (60-51).

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative McMahan and without objection, Committee Substitute for **H.B. 619,** A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CHARLOTTE-MECKLENBURG, FRANKLIN, JOHNSTON, AND NASH SCHOOL ADMINISTRATIVE UNITS FROM CERTAIN STATUTORY REQUIREMENTS IN SOME SCHOOL CONSTRUCTION CONTRACTS, is withdrawn from the Calendar and placed on the Calendar of May 10.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 682,** A BILL TO BE ENTITLED AN ACT MAKING FURTHER SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN ORANGE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute No. 2 for **H.B. 639,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS UNDER WHICH THE PIEDMONT TRIAD AIRPORT AUTHORITY REGULATES PARKING AT THE PIEDMONT TRIAD INTERNATIONAL AIRPORT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute No. 2 for **H.B. 495,** A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY IN ALAMANCE, CUMBERLAND, DAVIE, DAVIDSON, GASTON, LINCOLN, AND WAKE COUNTIES TO INJURE OR KILL A LAW ENFORCEMENT OR FIRE INVESTIGATION AGENCY ANIMAL, TO CREATE A NEW OFFENSE FOR ASSAULT WITH A FIREARM UPON A LAW ENFORCEMENT OR FIRE INVESTIGATION AGENCY ANIMAL, AND TO CREATE A NEW OFFENSE FOR SIMPLE ASSAULT OR SIMPLE ASSAULT AND BATTERY UPON A LAW ENFORCEMENT OR FIRE INVESTIGATION AGENCY ANIMAL.

Representative Gamble offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading. The caption having been amended, the bill remains on the Calendar.

Committee Substitute for **H.B. 12,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO LIMIT MEMBERS OF THE LEGISLATURE TO SIX CONSECUTIVE TERMS IN A HOUSE.

On motion of Representative Wood, the bill is temporarily displaced.

Committee Substitute for **H.B. 106,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO SERVICE IN THOSE OFFICES, RESPECTIVELY, TO TWO CONSECUTIVE GENERAL ASSEMBLIES, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, McComas, McMahan, Mercer, G. Miller, K. Miller, Miner, Morgan, Neely, Nichols, Nye, Oldham, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Wainwright,

Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 92.

Voting in the negative: Representatives Adams, Blue, Earle, Hackney, Hensley, Hunt, Lee, Luebke, McCombs, McCrary, Michaux, Mitchell, Owens, Tolson, and Womble - 15.

Excused absences: Representatives Fitch and Linney - 2.

Committee Substitute for **H.B. 12,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO LIMIT MEMBERS OF THE LEGISLATURE TO SIX CONSECUTIVE TERMS IN A HOUSE, which was temporarily displaced, is before the Body.

Representative R. Hunter moves that Rule 31(d) be suspended in order that he might offer an amendment that would change the title.

Representative R. Hunter calls for the "ayes" and "noes" on the motion and requests that the vote be spread upon the Journal. The Speaker so orders.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (67-43).

The motion to suspend the rules fails by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Buchanan, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fox, Gamble, Hackney, Hensley, Hill, H. Hunter, R. Hunter, Hurley, Justus, Lee, Luebke, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, Wood, Wright, and Yongue - 49.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Hunt, Ives, Kiser, Lemmond, Locke, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Watson, C. Wilson, and G. Wilson - 64.

Excused absences: Representatives Fitch and Linney - 2.

Representative Hensley moves that Rule 31(d) be suspended in order that he might offer an amendment that would change the title.

On motion of Representative Morgan, seconded by Representative Creech, the motion to suspend the rules is tabled by electronic vote (63-50).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (68-44).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Barbee, Berry, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Hayes, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 78.

Voting in the negative: Representatives Adams, Alexander, Baker, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, Cunningham, Earle, Easterling, Gray, Hackney, Hensley, Hunt, H. Hunter, R. Hunter, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Ramsey, Redwine, Shaw, Sutton, Tolson, Wainwright, Womble, and Wright - 37.

Excused absences: Representatives Fitch and Linney - 2.

Committee Substitute for **H.B. 730,** A BILL TO BE ENTITLED AN ACT TO PREVENT FRIVOLOUS MEDICAL MALPRACTICE ACTIONS BY REQUIRING THAT EXPERT WITNESSES IN MEDICAL MALPRACTICE CASES HAVE APPROPRIATE QUALIFICATIONS TO TESTIFY ON THE STANDARD OF CARE AT ISSUE AND TO REQUIRE EXPERT WITNESS REVIEW AS A CONDITION OF FILING A MEDICAL MALPRACTICE ACTION.

Representative Neely calls the previous question on the passage of the bill and the call is sustained by electronic vote (78-29).

The bill, as amended, passes its third reading, by electronic vote (80-28), and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 328,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR FAILURE TO GIVE WAY TO AN OVERTAKING VEHICLE.

Representative R. Hunter offers Amendment No. 1.

Representative Rayfield calls the previous question on the amendment and the call is sustained by electronic vote (76-28).

Amendment No. 1 is adopted by electronic vote (72-38).

Representative Richardson offers Amendment No. 2 which is adopted by electronic vote (111-0).

The bill, as amended, passes its third reading, by electronic vote (99-17), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 970, A BILL TO BE ENTITLED AN ACT TO PERMIT EMPLOYERS TO CONDUCT ON-SITE DRUG TESTING UNDER CERTAIN CIRCUMSTANCES, passes its third reading, by electronic vote (112-2), and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 674,** A BILL TO BE ENTITLED AN ACT TO REDUCE FROM ELEVEN TO SEVEN THE NUMBER OF GUILFORD COUNTY COMMISSIONERS AND TO REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS, SUBJECT TO A REFERENDUM, which was temporarily displaced, is before the Body.

Representative Adams calls for the "ayes" and "noes" and requests that the vote be spread upon the Journal. The Speaker so orders.

The bill passes its second reading by the following vote.

Those voting in the affirmative are: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Daughtry, Davis,

Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lemmond, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Weatherly, C. Wilson, G. Wilson, and Wood - 65.

Voting in the negative: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Crawford, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, H. Hunter, R. Hunter, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Watson, Wilkins, Womble, Wright, and Yongue - 48.

Excused absence: Representative Linney.

Representative Adams objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 13,** A BILL TO BE ENTITLED AN ACT TO STATUTORILY LIMIT BALLOT ACCESS TO MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES AND UNITED STATES SENATE BASED ON PRIOR TERMS, which was temporarily displaced, is before the Body.

Representative Barnes offers Amendment No. 2 which fails of adoption by electronic vote (51-61).

Representative Ellis calls the previous question on the passage of the bill and the call is sustained by electronic vote (85-31).

The bill fails to pass its second reading by electronic vote (57-61).

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Wood for the Committee on Education:

H.B. 241, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT NONCERTIFICATED PUBLIC SCHOOL EMPLOYEES BE HIRED ON A CONTINUING CONTRACT, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

H.B. 955, A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 128, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF HENDERSON AND THE CITY OF ASHEVILLE TO USE WHEEL LOCKS ON CERTAIN ILLEGALLY PARKED VEHICLES, with recommendation that the House concur.

The bill is placed on the Calendar of May 10.

H.B. 166, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE OF ELECTION OF THE JACKSON COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

H.B. 167, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF MACON COUNTY TO PROVIDE ADEQUATE FUNDS, PERSONNEL AND EQUIPMENT TO THE SHERIFF OF MACON COUNTY FOR LAW ENFORCEMENT IN THE COUNTY, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

H.B. 584, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE NINE MEMBERS OF THE ANSON COUNTY BOARD OF EDUCATION FROM SEVEN SINGLE-MEMBER DISTRICTS, PLUS TWO AT-LARGE MEMBERS ELECTED BY LIMITED VOTING,

with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 232, A BILL TO BE ENTITLED AN ACT TO MAKE VICTIM IMPACT STATEMENTS AND PLEA BARGAINING INFORMATION FOR VICTIMS MANDATORY IN ALL FELONY CASES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 267, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ENFORCEMENT OF AN ORDER FOR RESTITUTION IN A CRIMINAL CASE IN THE SAME MANNER AS A CIVIL JUDGMENT, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Daughtry, Committee Amendment No. 1 is adopted by electronic vote (96-0).

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

H.B. 268, A BILL TO BE ENTITLED AN ACT TO RECONFORM THE MILEAGE REIMBURSEMENT FOR OUT-OF-STATE WITNESSES TO THAT RECEIVED BY IN-STATE WITNESSES AND STATE EMPLOYEES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 428, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TRAINING OF TREASURERS OF REFERENDUM COMMITTEES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 552, A BILL TO BE ENTITLED AN ACT TO CLOSE A

LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO LARGE URBAN CITIES WHERE THE OWNER OF SUBSTANDARD PROPERTY CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH THE UNIT BY SIMPLY CLOSING IT, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 568, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND IMPROVE SANCTIONS FOR WILLFUL FAILURE TO DISCLOSE PRIOR DAMAGE TO A MOTOR VEHICLE, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

Committee Substitute for **H.B. 744,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DOMICILIARY FACILITIES FOUND ON INSPECTION TO HAVE LEFT A RESIDENT UNATTENDED BE PENALIZED, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

H.B. 835, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES RELATING TO CIVIL ACTIONS BROUGHT TO RECOVER FROM THIRD PARTIES STATE FUNDS EXPENDED ON MEDICAL CARE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

H.B. 905, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDITIONAL CIVIL REMEDY BY DEMAND LETTER FOR RETURNED CHECKS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

H.B. 597, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PAYMENT OF COMPENSATION TO AN OWNER WHEN LAND-USE REGULATION BY A GOVERNMENTAL ENTITY CAUSES AN ECONOMIC IMPACT RESULTING IN ANY DIMINUTION IN THE

TOTAL VALUE OF THE OWNER'S LAND, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 624, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE ABORTION MAY BE PERFORMED, with a favorable report.

On motion of the Chair, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

H.B. 843, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A SKILLED NURSING FACILITY RESERVE A MEDICAID PATIENT'S BED FOR UP TO TEN DAYS WHEN THAT PATIENT IS HOSPITALIZED, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 936, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL REST HOME AIDES RECEIVE TRAINING IN PERSONAL CARE OF THE ELDERLY AND DISABLED, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 203, A BILL TO BE ENTITLED AN ACT TO ELIMINATE STRAIGHT-TICKET VOTING, BY WHICH A VOTER CAN MARK ONE CIRCLE TO CAST VOTES FOR ALL THE CANDIDATES OF A PARTY,

with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

H.B. 864, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A CLASS 1 MISDEMEANOR TO SELL AN ITEM IN A VENDING MACHINE THAT IT IS ILLEGAL FOR A MINOR TO PURCHASE, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

By Representative Sherrill for the Permanent Subcommittee on Boards and Commissions of the Standing Committee on State Government with approval of standing committee chair for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 829,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VARIOUS GROUNDS FOR DISCIPLINE OF PRACTITIONERS OF CHIROPRACTIC BY THE STATE BOARD OF CHIROPRACTIC EXAMINERS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

H.B. 865, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BOARD OF LANDSCAPE ARCHITECTS TO CHARGE REASONABLE FEES FOR THE REGISTRATION EXAMINATION TO RECOVER ALL COSTS FOR PUBLISHED MATERIALS AND TO MAKE A TECHNICAL CORRECTION TO THE FEE SCHEDULE, with a favorable report.

On motion of the Chair, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

H.B. 926, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGISTRATION OF ESTHETICIANS AND ESTHETICIAN APPRENTICES BY THE STATE BOARD OF COSMETIC ART EXAMINERS, with a favorable report.

On motion of the Chair, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 227, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

H.B. 690, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 1073 OF THE 1959 SESSION LAWS TO PROVIDE THAT THE SHERIFF ISSUE WEAPON PERMITS IN ASHE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

H.B. 897, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

By Representative Robinson for the Committee on Business and Labor:

H.B. 645, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF ALCOHOLIC BEVERAGES ON PROPERTY OWNED BY THAT LOCAL GOVERNMENT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

H.B. 855, A BILL TO BE ENTITLED AN ACT TO UPDATE AND REVISE THE LAWS AFFECTING LOCAL GOVERNMENT CONTRACTING, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

H.B. 295, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PRIORITY FOR PAYMENT OF LIABILITY CLAIMS FOR RENTAL CARS UNDER CERTAIN CIRCUMSTANCES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 140,** A BILL TO BE ENTITLED AN ACT TO REVISE THE PENALTIES FOR DRIVING A VEHICLE WITHOUT INSURANCE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

H.B. 198, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARGES RELATED TO TOBACCO WAREHOUSES, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 458,** A BILL TO BE ENTITLED AN ACT TO IMPOSE CONDITIONS FOR THE RESTORATION OR CONTINUED ENJOYMENT OF A DRIVING PRIVILEGE AFTER A CONVICTION FOR DRIVING WHILE IMPAIRED OR DRIVING WHILE A PROVISIONAL LICENSEE AFTER CONSUMING DRUGS OR ALCOHOL, AND TO PROMOTE COMPLIANCE WITH THESE CONDITIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 536,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT GASTON COUNTY MAY USE THE PROCEEDS OF ITS OCCUPANCY TAX ONLY FOR ECONOMIC DEVELOPMENT TO PROMOTE TRAVEL AND TOURISM, with a

favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

Committee Substitute for **H.B. 602,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM ON THE REPEAL OF THE CHARTER OF THE TOWN OF SANDYFIELD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 643, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE BOUNDARIES OF THE HEARTSEASE FIRE TAX DISTRICT AND THE HARRISON FIRE TAX DISTRICT IN EDGECOMBE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 911, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE TAX CHECK-OFF FOR POLITICAL PARTIES AND THE PUBLIC FINANCING OF CANDIDATES, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

H.B. 988, A BILL TO BE ENTITLED AN ACT TO EARMARK PART OF THE DRUG TAX PROCEEDS FOR REWARDS PAID FOR TIPS REGARDING CRIMES PURSUANT TO LOCAL CRIMESTOPPERS PROGRAMS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Robinson, pursuant to Rule 38(b) and without objection, **H.B. 707,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A VOCATIONAL TRAINING AND EMPLOYMENT OPPORTUNITY INITIATIVE IN THE COUNTIES OF CARTERET, CRAVEN, JONES, LENOIR, AND PAMLICO AND OTHER ADJACENT COUNTIES THAT MAY CHOOSE TO JOIN IN THE INITIATIVE, is withdrawn from the Calendar and re-referred to the Committee on Finance.

RE-REFERRALS

On motion of Representative Edwards and without objection, **H.B. 847,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH LICENSING OF MONUMENT CONTRACTORS, is withdrawn from the Permanent Subcommittee on Boards and Commissions and re-referred to the Committee on State Government.

On motion of Representatives Holmes, pursuant to Rule 39.2 and without objection, Committee Substitute for **H.B. 333,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A REGISTER OF DEEDS WHO COMPLETES SERVICE AFTER TEN YEARS OF ELIGIBLE SERVICE AS REGISTER OF DEEDS BUT DOES NOT COMMENCE RETIREMENT FROM THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM MAY RECEIVE A MONTHLY PENSION FROM THE REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND UPON RETIREMENT UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Pensions and Retirement.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Tallent and without objection, **H.B. 542,** A BILL TO BE ENTITLED AN ACT TO ALLOW LENDERS TO COLLECT FEES, INTEREST, AND CHARGES FOR CERTAIN LOANS AND EXTENSIONS OF CREDIT IN AMOUNTS AGREED UPON BY THE PARTIES, WITH NO STATUTORY MAXIMUM LIMIT, AND TO AUTHORIZE COMPUTATION OF REBATES BY THE SIMPLE INTEREST METHOD ON CONTRACTS GOVERNED BY THE RETAIL INSTALLMENT SALES ACT, is withdrawn from the Calendar and placed on the Calendar of May 10.

On motion of Representative Morgan, pursuant to Rule 38(b) and without objection, **S.B. 483,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INSPECTION OF BISON MEAT THAT IS TO BE USED AS FOOD, is withdrawn from the Calendar and re-referred to the Committee on Finance.

RE-REFERRAL

On motion of Representative Morgan and without objection, **H.B. 626,** A BILL TO BE ENTITLED AN ACT PERTAINING TO THE COUNTY OF SCOTLAND, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local and Regional Government II.

On motion of the Chair, the House recesses at 4:27 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 424,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES REGARDING THE INSPECTION OF ELEVATORS AND RELATED DEVICES, AND REGARDING THE COLLECTION OF FEES THEREFOR, passes its second reading, by electronic vote (65-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 487, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PILOT PROGRAMS IN WHICH STUDENTS ARE REQUIRED TO WEAR UNIFORMS IN PUBLIC SCHOOLS, passes its second reading, by electronic vote (78-8), and there being no objection is read a third time.

Representative Wood calls the previous question on the passage of the bill and the call is sustained by electronic vote (90-6).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative McCombs for the Committee on Pensions and Retirement:

Committee Substitute for **H.B. 333,** A BILL TO BE ENTITLED AN

ACT TO PROVIDE THAT A REGISTER OF DEEDS WHO COMPLETES SERVICE AFTER TEN YEARS OF ELIGIBLE SERVICE AS REGISTER OF DEEDS BUT DOES NOT COMMENCE RETIREMENT FROM THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM MAY RECEIVE A MONTHLY PENSION FROM THE REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND UPON RETIREMENT UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 669, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR RECALL ELECTIONS FOR LOCAL GOVERNMENT OFFICIALS IN ALAMANCE COUNTY SERVING FOUR-YEAR TERMS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

By Representative Robinson for the Committee on Business and Labor:

H.B. 746, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN INCREASE IN THE MINIMUM WAGE IF THE FEDERAL MINIMUM WAGE INCREASES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 10.

H.B. 923, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CITIES MAY ALLOW PAWNBROKERS ONLY WITH A SPECIAL USE PERMIT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

H.B. 935, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES ENSURE THAT ALL EXITS IN ALL DOMICILIARY CARE FACILITIES ARE EQUIPPED WITH ALARMS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 634,** A BILL TO BE ENTITLED AN ACT RELATING TO THE AUTHORITY AND JURISDICTION OF CITY LAW ENFORCEMENT OFFICERS WHILE TRANSPORTING PERSONS IN CUSTODY WITHIN THE STATE, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 868,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FUND IN THE DEPARTMENT OF HUMAN RESOURCES TO PROVIDE GRANTS TO LICENSED PRIVATE CHILD-PLACING AGENCIES AND PUBLIC CHILD-PLACING AGENCIES TO PLACE MORE HARD-TO-PLACE CHILDREN, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 802,** A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPROCAL BID PREFERENCES, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by

Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 437, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE STATE OF NORTH CAROLINA TO ESTABLISH A STATE VETERANS HOME PROGRAM IN THE DIVISION OF VETERANS AFFAIRS OF THE DEPARTMENT OF ADMINISTRATION, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 566,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE POWERS OF FIDUCIARIES, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 494, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR ASSAULT UPON A LAW ENFORCEMENT OFFICER WITH A FIREARM.

On motion of Representative Capps, Committee Amendment No. 1 is adopted by electronic vote (105-0).

The bill, as amended, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 446, A BILL TO BE ENTITLED AN ACT MODIFYING

CONTRACT LETTING PROCEDURES AND LIMITATIONS APPLICABLE TO THE DEPARTMENT OF TRANSPORTATION, passes its second reading, by electronic vote (102-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 774,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE PRACTICES BETWEEN AND AMONG PHYSICIANS AND MID-LEVEL HEALTH CARE PROVIDERS.

Representative Dickson offers Amendment No. 1 which is adopted by electronic vote (104-3).

The bill, as amended, passes its second reading by electronic vote (104-2).

Representative Dockham objects to the third reading. The bill remains on the Calendar.

Objection having been raised, pursuant to Rule 40(b), **H.B. 350,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REQUESTING AGENCY TO COMPENSATE THE INTERPRETERS FOR THE DEAF IN CERTAIN JUDICIAL, LEGISLATIVE, AND ADMINISTRATIVE PROCEEDINGS, is removed from today's Consent Calendar and placed on the regular Calendar.

The bill passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 798, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN REQUIREMENTS PERTAINING TO MATERIALS USED IN CONJUNCTION WITH FOOD CONSUMPTION, passes its second reading, by electronic vote (101-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 933, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAIR AND EQUITABLE LIQUIDATIONS OF MUTUAL ASSOCIATIONS AND SAVINGS BANKS.

Representative Allred calls the previous question on the passage of the bill and the call is sustained by electronic vote (91-14).

The bill passes its second reading by electronic vote (104-3).

Representative Church objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 416, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT IMMUNITY FROM LIABILITY FOR AGENCIES SUPERVISING COMMUNITY SERVICE WORK INCLUDES CLAIMS FROM PERSONS WORKING UNDER A DEFERRED PROSECUTION AGREEMENT, PERSONS ON PROBATION AND PERSONS ON PAROLE, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 817,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PERFORMANCE OF ENVIRONMENTAL AUDITS BY PROVIDING A LIMITED PRIVILEGE AGAINST THE DISCLOSURE OF AN ENVIRONMENTAL AUDIT REPORT AND TO GRANT IMMUNITY FROM CIVIL AND CRIMINAL PENALTIES TO A PERSON OR OTHER ENTITY THAT VOLUNTARILY DISCLOSES A VIOLATION OF AN ENVIRONMENTAL LAW.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted by electronic vote (100-0).

Representative Hackney offers Amendment No. 2 which fails of adoption by electronic vote (42-61).

Representative Hackney offers Amendment No. 3 which is adopted by electronic vote (105-1).

Representative Nichols calls the previous question on the passage of the bill and the call is sustained by electronic vote (81-26).

The bill, as amended, passes its second reading by electronic vote (87-22).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Wood for the Committee on Education:

H.B. 906, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT EDUCATIONAL MATERIALS THAT ARE EDUCATIONALLY UNSUITABLE, PERVASIVELY VULGAR, OR INAPPROPRIATE TO THE AGE, MATURITY, OR GRADE LEVEL OF THE STUDENTS ARE REMOVED FROM THE PUBLIC SCHOOLS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

By Representative Dickson for the Committee on Public Utilities:

H.B. 684, A BILL TO BE ENTITLED AN ACT TO FACILITATE EXTENSION OF A CERTAIN INTERSTATE NATURAL GAS PIPELINE BY EXEMPTING GENERATION SERVED BY THAT PIPELINE FROM REGULATION AS A PUBLIC UTILITY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

H.B. 931, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MORE ACCURATE METHOD OF MEASURING AVOIDED COST OF ENERGY TO A UTILITY IN DETERMINING THE RATES PAID BY UTILITIES TO SMALL POWER PRODUCERS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **H.B. 842,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE CURRENT STATUTES REGARDING FRAUDULENT CONVEYANCES AND TO ADOPT THE UNIFORM FRAUDULENT TRANSFER ACT IN ORDER TO MODERNIZE NORTH CAROLINA LAW AND HARMONIZE OUR LAW ON THIS SUBJECT WITH THOSE STATES THAT HAVE ADOPTED THIS UNIFORM ACT, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar for May 10. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 851, A BILL TO BE ENTITLED AN ACT TO CHANGE SOME PROCEDURES WITH REGARD TO SURETY BONDS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

CONFERENCE REPORT

Representative Culpepper sends forth the Conference Report on **H.B. 373,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of May 10.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Grady and without objection, **H.B. 630,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT INSTITUTION, is withdrawn from the Calendar and placed on the Calendar of May 10.

On motion of Representative Morgan and without objection, **H.B. 556,** A BILL TO BE ENTITLED AN ACT TO ENABLE JOINT MUNICIPAL POWER AGENCIES TO EFFECT CORPORATE REORGANIZATION AND TO MAKE TECHNICAL CHANGES TO THE STATUTES GOVERNING JOINT MUNICIPAL POWER AGENCIES, is withdrawn from the Calendar and re-referred to the Committee on Finance.

BILL RE-CALENDARED

Representative Morgan moves that **H.B. 988,** A BILL TO BE ENTITLED AN ACT TO EARMARK PART OF THE DRUG TAX PROCEEDS FOR REWARDS PAID FOR TIPS REGARDING CRIMES PURSUANT TO LOCAL CRIMESTOPPERS PROGRAMS, be re-calendared pursuant to Rule 36(a).

On motion of Representative Gray, Committee Amendment No. 1 is adopted by electronic vote (101-0).

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

CALENDAR (continued)

Objection having been raised, pursuant to Rule 40(b), Committee Substitute for **H.B. 914,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPOINTMENT AND CONDITIONS OF OFFICE OF MEMBERS OF THE BOARDS OF TRUSTEES OF COMMUNITY COLLEGES, is removed from today's Consent Calendar and placed on the regular Calendar.

Representative Dockham offers Amendment No. 1 which is adopted by electronic vote (104-0).

Representative Richardson offers Amendment No. 2.

The Chair rules Amendment No. 2 out of order. The amendment is returned to Representative Richardson.

Representative Blue offers new Amendment No. 2 which is adopted by electronic vote (52-49).

On motion of Representative Dockham, the bill, as amended, is withdrawn from the Calendar and placed on the Calendar of May 10.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 686,** A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES PERTAINING TO DOMESTIC VIOLENCE, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 789, A BILL TO BE ENTITLED AN ACT TO ALLOCATE THE DUTIES OF ROLLER SKATING RINK OPERATORS AND THE DUTIES OF ROLLER SKATERS AT ROLLER SKATING RINKS AS THESE DUTIES RELATE TO SAFETY AND LIABILITY FOR PERSONAL INJURY.

On motion of Representative Pulley, Committee Amendment No. 1 is adopted by electronic vote (101-0).

On motion of Representative Pulley, Committee Amendment No. 2 is adopted by electronic vote (97-0).

REPRESENTATIVE RUSSELL, SPEAKER PRO TEMPORE, PRESIDING.

The bill, as amended, passes its second reading, by electronic vote (61-40), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 879,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S GUN LAWS BY PREEMPTING LOCAL REGULATION.

On motion of Representative Creech and without objection, the bill is temporarily displaced.

H.B. 873, A BILL TO BE ENTITLED AN ACT TO LIMIT THE SUBSTANCES THAT APPLICATORS OF PESTICIDES ARE AUTHORIZED TO APPLY AND TO PROVIDE FOR THE PESTICIDE APPLICATOR'S LICENSE TO BE REVOKED, SUSPENDED, OR DENIED FOR VIOLATING THIS LIMITATION, passes its second reading, by electronic vote (96-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 848,** A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTICE TO AND CONSULTATION WITH THE MINOR'S LEGALLY RESPONSIBLE PERSON BEFORE DISCHARGE FROM TREATMENT OF MENTAL ILLNESS OR SUBSTANCE ABUSE, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 341, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REQUIREMENTS FOR INDIVIDUALS TO REPORT WORK SEARCH EFFORTS IN ORDER TO REMAIN ELIGIBLE FOR UNEMPLOYMENT BENEFITS, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 907, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE AND ITS POLITICAL SUBDIVISIONS TO BE SUBJECT TO STATUTES OF LIMITATION AND REPOSE FOR CERTAIN CIVIL ACTIONS AND TO PROVIDE A TEN-YEAR STATUTE OF LIMITATION FOR THOSE SAME ACTIONS BROUGHT BY THE STATE OR A POLITICAL SUBDIVISION OF THE STATE WHEN THE FUNCTION AT ISSUE IS GOVERNMENTAL, passes its second reading, by electronic vote (98-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 805,** A BILL TO BE ENTITLED AN

ACT TO RESTORE MINIMUM PENALTIES FOR MAJOR WILDLIFE OFFENSES AND TO MAKE OTHER MINOR REVISIONS TO THE PENALTY PROVISIONS FOR WILDLIFE OFFENSES, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 912,** A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 11 OF CHAPTER 130A OF THE GENERAL STATUTES REGARDING WASTEWATER SYSTEMS, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 637,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY.

Representative Hensley offers Amendment No. 1.

SPEAKER BRUBAKER PRESIDING.

Amendment No. 1 fails of adoption by electronic vote (42-62).

The bill passes its second reading, by electronic vote (85-15), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 792, A BILL TO BE ENTITLED AN ACT TO DIRECT THE UTILITIES COMMISSION TO PROVIDE THAT EACH FRANCHISED NATURAL GAS DISTRIBUTION COMPANY SHALL EXPAND SERVICE TO ALL AREAS OF ITS FRANCHISE TERRITORY WITHIN THREE YEARS OR LOSE ITS EXCLUSIVE RIGHTS TO THE FRANCHISE TERRITORY.

On motion of Representative Owens, Committee Amendment No. 1 is adopted by electronic vote (102-0).

The bill, as amended, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 461,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF RED LIGHTS ON VEHICLES TRANSPORTING BLOOD, passes its second reading, by electronic vote (105-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 265,** A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY A PRIVATE PROCESS SERVER WHEN A PROPER OFFICER RETURNS SERVICE OF PROCESS UNEXECUTED, passes its second reading by electronic vote (82-21).

Representative Thompson objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Hensley withdraws his objection to **H.B. 783,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF CERTAIN PERMITS ON SCHOOL PROPERTY.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Creech, **H.B. 879,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S GUN LAWS BY PREEMPTING LOCAL REGULATION, which was temporarily displaced, is withdrawn from the Calendar and placed on the Calendar of May 10.

CALENDAR (continued)

Committee Substitute for **H.B. 940,** A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES RELATING TO CRIMINAL AND

CIVIL PROCEDURE, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Tallent and without objection, Committee Substitute for **H.B. 542,** A BILL TO BE ENTITLED AN ACT TO ALLOW LENDERS TO COLLECT FEES, INTEREST, AND CHARGES FOR CERTAIN LOANS AND EXTENSIONS OF CREDIT IN AMOUNTS AGREED UPON BY THE PARTIES, WITH NO STATUTORY MAXIMUM LIMIT, AND TO AUTHORIZE COMPUTATION OF REBATES BY THE SIMPLE INTEREST METHOD ON CONTRACTS GOVERNED BY THE RETAIL INSTALLMENT SALES ACT, is withdrawn from the Calendar of May 10 and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Justus, the House adjourns at 8:45 p.m. to reconvene May 10 at 9:30 a.m.

SIXTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 10, 1995

The House meets at 9:30 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Father, we are in a lot of stress these days trying to get stuff to the Senate or to keep it out before cross-over, and Your knowledge of who and what we are is full and complete, because in Your model prayer You taught us to pray, 'lead us not into temptation'. That's a good prayer, Father, because every time we think that we have gotten ourselves pretty much in hand, it seems that we are reminded of just how vulnerable we are. Like the other night, a lady was on the floor in one of those 'mini skirts', I don't mean any disrespect, Father,

but she kinda disrupted my chain of thought, and then that guy who jumped three lanes in front of me and dipped out that exit. I thought things about him that I am ashamed of, and if I'd had a Sherman tank, I could have squashed him like a bug. Forgive me, Father, I should have prayed for him because anybody who would drive like that must be on his way to the hot place, and I would hate to see anybody end up there. Now, Father, from what I have observed, the folks here in the House are all pretty much human, too. Now I would like to be a good Pastor, and they would like to be good law makers, and so help us to 'watch and pray' and do our best in spite of cross-over dates, our hormones, and the highways. Through Christ our Lord. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 9 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (76-0).

Leaves of absence are granted Representatives Fitch, Linney, and McAllister for today.

ENROLLED BILL

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 264, AN ACT TO REVIVE THE CHARTER OF THE TOWN OF BETHANIA. (CHAPTER 74)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Esposito, Holmes, and Creech for the Committee on Appropriations:

Committee Substitute for **H.B. 225,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP AN EDUCATIONAL PROGRAM FOR DIVORCING COUPLES WITH CHILDREN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 11.

H.B. 375, A BILL TO BE ENTITLED AN ACT TO REMOVE THE LIMITATION ON FUNDING FOR THE PER DIEM COSTS OF INMATES HOUSED OUT-OF-STATE, with recommendation that the House concur.

The bill is placed on the Calendar for May 11.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

H.B. 164, A BILL TO BE ENTITLED AN ACT TO ENHANCE CHILD SUPPORT COLLECTION THROUGH EMPLOYER REPORTING OF NEW HIRES, HEALTH INSURANCE PREMIUM WITHHOLDING, AND OTHER INITIATIVES FOR COLLECTING OVERDUE CHILD SUPPORT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 11. The original bill is placed on the Unfavorable Calendar.

H.B. 745, A BILL TO BE ENTITLED AN ACT TO INCREASE THE "TYPE A" DOMICILIARY HOME AND NURSING HOME ADMINISTRATIVE PENALTIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 821, A BILL TO BE ENTITLED AN ACT TO INCLUDE ENCOURAGEMENT OF BREAST FEEDING IN SERVICES PROVIDED BY THE STATE MATERNAL AND CHILD HEALTH PROGRAM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 11. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 173, A BILL TO BE ENTITLED AN ACT TO CREATE A SAFETY ZONE AROUND MERCHANTS MILLPOND STATE PARK BY PROHIBITING HUNTING IN THE VICINITY OF THE PARK, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 11.

H.B. 316, A BILL TO BE ENTITLED AN ACT TO ALLOW ALAMANCE COUNTY RESIDENTS OF THE EXTRATERRITORIAL PLANNING JURISDICTION OF A CITY TO VOTE IN ELECTIONS OF THAT CITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 11.

H.B. 519, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TRAPPING AND KILLING OF RED WOLVES BY OWNERS OF PRIVATE LAND IN BEAUFORT COUNTY, with recommendation that the House concur.

The bill is placed on the Calendar of May 11.

H.B. 713, A BILL TO BE ENTITLED AN ACT TO PERMIT THE PERSONAL USE OF MATTHEWS POLICE CARS WITHIN SPECIFIC AREAS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 11.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Hurley, Alexander, Barbee, Beall, Boyd-McIntyre, Buchanan, Church, Culpepper, Easterling, Fox, Gamble, Gardner, Hightower, Hill, Lee, McCombs, McLaughlin, Mitchell, Owens, Ramsey, Rogers, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, and Yongue:

H.J.R. 1057, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY TAX ISSUES RELATING TO PUBLIC AND PRIVATE RETIREMENT BENEFITS AND TO STATE AND LOCAL GOVERNMENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute for **S.B. 15,** A BILL TO BE ENTITLED AN ACT

TO FURTHER STREAMLINE THE STATUTES SO AS TO CLARIFY THE CONSTITUTIONAL ROLE OF THE STATE BOARD OF EDUCATION, is read the first time and referred to the Committee on Education.

Committee Substitute for **S.B. 166,** A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS OF LAW THAT REGULATE ATTORNEYS-AT-LAW, is read the first time and referred to the Committee on Judiciary I.

S.B. 270, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SHELBY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is read the first time and referred to the Committee on Local and Regional Government I.

Committee Substitute for **S.B. 362,** A BILL TO BE ENTITLED AN ACT RELATING TO APPOINTMENTS TO THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, AMENDING THE LAWS RELATING TO THE POWERS OF AND APPEALS BEFORE THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, AND OTHERWISE PERTAINING TO CHAPTER 17E OF THE GENERAL STATUTES, is read the first time and referred to the Committee on Judiciary II.

S.B. 364, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COLUMBUS COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is read the first time and referred to the Committee on Finance.

S.B. 423, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE VOCATIONAL REHABILITATION/INDEPENDENT LIVING PROGRAM FOR PEOPLE WITH DISABILITIES, is read the first time and referred to the Committee on Welfare Reform and Human Resources, Subcommittee on Families.

S.B. 499, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAYMENT OF ADDITIONAL BENEFITS TO RESCUE AND EMERGENCY MEDICAL SERVICES WORKERS, is read the first time and referred to the Committee on Appropriations.

S.B. 556, A BILL TO BE ENTITLED AN ACT TO SPECIFY HOW THE PROCEEDS OF THE BURKE OCCUPANCY TAX SHALL BE DIVIDED BETWEEN THE TWO PURPOSES FOR WHICH THEY MAY

BE USED, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 687,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IMPROVEMENT PERMITS FOR SEWAGE DISPOSAL SYSTEMS, is read the first time and referred to the Committee on Health and Environment.

S.B. 701, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STATE BOARD OF EDUCATION FROM ADOPTING OR ENFORCING ANY RULE THAT REQUIRES ALGEBRA I AS A GRADUATION STANDARD OR AS A REQUIREMENT FOR A HIGH SCHOOL DIPLOMA FOR STUDENTS WHO ARE IDENTIFIED AS LEARNING DISABLED IN THE AREA OF MATHEMATICS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO SUSPEND THE APPLICATION OF THIS RULE TO THESE STUDENTS, is read the first time and referred to the Committee on Education.

S.B. 712, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM AND DURHAM COUNTY TO APPLY TO THE SUPERIOR COURT FOR COMPENSATORY AND PUNITIVE DAMAGES IN CASES WHERE INTENTIONAL DISCRIMINATION IS FOUND IN EMPLOYMENT PRACTICES AND TO AUTHORIZE PARTIES TO ELECT BETWEEN HAVING A HEARING IN SUPERIOR COURT OR BEFORE THE ENFORCEMENT AGENCY, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 752, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES THAT HAVE PROTECTED MOUNTAIN RIDGES TO ESTABLISH COUNTY SERVICE DISTRICTS TO PROVIDE FOR CERTAIN ROAD NEEDS OF THE DISTRICT AND TO ALLOW UNDER CERTAIN CIRCUMSTANCES THE MAINTENANCE OF PUBLIC ROADS LYING OUTSIDE THE DISTRICT, is read the first time and referred to the Committee on Transportation.

Committee Substitute for **S.B. 771,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF INDEPENDENT CONTRACTORS OF PUBLIC HOSPITALS, is read the first time and referred to the Committee on Judiciary I.

S.B. 871, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT AND ASSIGNMENT OF EMERGENCY RECALL JUDGES OF THE COURT OF APPEALS, is read the first time and referred

to the Committee on Judiciary I.

S.B. 874, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND RELATED LAWS, is read the first time and referred to the Committee on Health and Environment.

S.B. 884, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PREPARATION OF FIRE SPRINKLER PLANNING AND DESIGN DRAWINGS BY A LICENSED FIRE SPRINKLER CONTRACTOR UNDER THE ENGINEERING AND LAND SURVEYING ACT, is read the first time and referred to the Committee on Business and Labor.

S.B. 890, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF CARDIAC REHABILITATION PROGRAM AND TO MAKE CONFORMING CHANGES TO THE LAW GOVERNING CARDIAC REHABILITATION PROGRAMS, is read the first time and referred to the Committee on Health and Environment.

S.B. 918, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF EDUCATION TO AUTHORIZE THE EMERGENCY CLOSING OF INDIVIDUAL SCHOOLS, is read the first time and referred to the Committee on Education.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Culpepper moves the adoption of the following Conference Report.

H.B. 373

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 373, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE

TOWN OF SOUTHERN SHORES AND TO PROHIBIT THE TAKING OF DEER WITH DOGS IN A PORTION OF RICHMOND COUNTY, submit the following report:

The House concurs in Senate Amendment #1.

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: May 4, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ John J. Carrington	S/ Bill Culpepper
S/ J. Richard Conder	S/ John M. Nichols
S/ Luther Henry Jordan, Jr.	
S/ Aaron W. Plyler	

The Conference Report is adopted, by electronic vote (89-5), and the Senate is so notified by Special Message.

Committee Substitute for **H.B. 128,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF HENDERSON AND THE CITY OF ASHEVILLE TO USE WHEEL LOCKS ON CERTAIN ILLEGALLY PARKED VEHICLES.

On motion of Representative Fox, the House concurs in the Senate amendment, by electronic vote (98-1), and the bill is ordered enrolled.

Committee Substitute for **H.B. 674,** A BILL TO BE ENTITLED AN ACT TO REDUCE FROM ELEVEN TO SEVEN THE NUMBER OF GUILFORD COUNTY COMMISSIONERS AND TO REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS, SUBJECT TO A REFERENDUM.

Representative Adams calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Dickson, Dockham, Eddins, Edwards, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, McComas, McCombs, McMahan, K. Miller, Mitchell, Morgan, Neely, Nichols, Oldham, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Warner, C. Wilson, G. Wilson, and Wood - 60.

Voting in the negative: Representatives Adams, Alexander, Barnes, Beall, Black, Bowen, Boyd-McIntyre, Braswell, W. Brown, Church, Culpepper, Earle, Easterling, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, R. Hunter, Lee, Locke, Luebke, McCrary, McLaughlin, Mercer, Michaux, Nye, Owens, Ramsey, Redwine, Rogers, Shaw, Tolson, Wainwright, Watson, Wilkins, Womble, Wright, and Yongue - 41.

Excused absences: Representatives Fitch, Linney, and McAllister - 3.

Committee Substitute No. 2 for **H.B. 495,** A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY IN ALAMANCE, CUMBERLAND, DAVIE, DAVIDSON, GASTON, GUILFORD, LINCOLN, AND WAKE COUNTIES TO INJURE OR KILL A LAW ENFORCEMENT OR FIRE INVESTIGATION AGENCY ANIMAL, TO CREATE A NEW OFFENSE FOR ASSAULT WITH A FIREARM UPON A LAW ENFORCEMENT OR FIRE INVESTIGATION AGENCY ANIMAL, AND TO CREATE A NEW OFFENSE FOR SIMPLE ASSAULT OR SIMPLE ASSAULT AND BATTERY UPON A LAW ENFORCEMENT OR FIRE INVESTIGATION AGENCY ANIMAL.

Representative Gamble offers Amendment No. 2 which is adopted by electronic vote (109-0). This amendment changes the title.

The caption having been amended, the bill remains on the Calendar.

H.B. 167, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF MACON COUNTY TO PROVIDE ADEQUATE FUNDS, PERSONNEL AND EQUIPMENT TO THE SHERIFF OF MACON COUNTY FOR LAW ENFORCEMENT IN THE COUNTY.

On motion of Representative Ellis, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 584, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE NINE MEMBERS OF THE ANSON COUNTY BOARD OF EDUCATION FROM SEVEN SINGLE-MEMBER DISTRICTS, PLUS TWO AT-LARGE MEMBERS ELECTED BY LIMITED VOTING, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 690, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 1073 OF THE 1959 SESSION LAWS TO PROVIDE THAT THE SHERIFF ISSUE WEAPON PERMITS IN ASHE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 536,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT GASTON COUNTY MAY USE THE PROCEEDS OF ITS OCCUPANCY TAX ONLY FOR ECONOMIC DEVELOPMENT TO PROMOTE TRAVEL AND TOURISM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 619,** A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CHARLOTTE-MECKLENBURG SCHOOL ADMINISTRATIVE UNITS FROM CERTAIN STATUTORY REQUIREMENTS IN SOME SCHOOL CONSTRUCTION CONTRACTS.

Representative Creech offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading. The caption having been amended, the bill remains on the Calendar.

H.B. 166, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE OF ELECTION OF THE JACKSON COUNTY BOARD OF EDUCATION.

Representative Beall calls for the "ayes" and "noes", and requests that the vote be spread upon the Journal. The Speaker so orders.

The bill passes its second reading, by the following vote, and there being no objection is read a third time.

Those voting in the affirmative are: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Black, Bowie, Brawley, J. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, McComas, McCombs, McMahan, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, Robinson, Russell, Sexton, Sharpe, Shubert, Tallent, Thompson, Watson, Weatherly, C. Wilson, and G. Wilson - 60.

Voting in the negative: Representatives Alexander, Barnes, Beall, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Lee, Locke, Luebke, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Wilkins, Womble, Wood, Wright, and Yongue - 48.

Excused absences: Representatives Fitch, Linney, and McAllister - 3.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Representative Black requests and is granted permission to be recorded as voting "aye" on the second reading. The adjusted vote total is (59-49).

Committee Substitute for **H.B. 140,** A BILL TO BE ENTITLED AN ACT TO REVISE THE PENALTIES FOR DRIVING A VEHICLE WITHOUT INSURANCE.

Representative Allred moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Finance. The motion fails by electronic vote (7-104).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives Allred, Berry, Cocklereece, Hiatt, Nye, and Warner - 6.

Excused absences: Representatives Fitch, Linney, and McAllister - 3.

Committee Substitute for **H.B. 774,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE PRACTICES BETWEEN AND AMONG PHYSICIANS AND MID-LEVEL HEALTH CARE PROVIDERS.

Representative Dickson, having voted with the prevailing side, moves that the vote by which the bill passed its second reading be reconsidered. The motion carries by electronic vote (79-18).

Representative Dickson, having voted with the prevailing side, moves that the vote by which Amendment No. 1 was adopted be reconsidered. The motion carries by electronic vote (77-32).

Representative Dickson withdraws Amendment No. 1.

The bill passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by

Special Message.

H.B. 933, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAIR AND EQUITABLE LIQUIDATIONS OF MUTUAL ASSOCIATIONS AND SAVINGS BANKS, passes its third reading, by electronic vote (102-2), and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 673,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION, APPOINTMENTS, AND TERMS OF VARIOUS BOARDS, COMMISSIONS, AND AUTHORITIES WITHIN STATE GOVERNMENT.

Representative Sherrill offers Amendment No. 1 which is adopted by electronic vote (98-4).

On motion of Representative Sherrill, the bill, as amended, is temporarily displaced.

Committee Substitute for **H.B. 917,** A BILL TO BE ENTITLED AN ACT TO ENACT THE LITERACY RESTORATION ACT OF 1995.

Representative Decker calls the previous question on the passage of the bill and the call is sustained by electronic vote (72-33).

The bill, as amended, passes its third reading, by electronic vote (53-51), and is ordered engrossed and sent to the Senate by Special Message.

Representative K. Miller states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (54-51).

H.B. 545, A BILL TO BE ENTITLED AN ACT TO BROADEN THE LAW PROVIDING FOR THE ESTABLISHMENT OF CARTWAYS.

Representative Hightower offers Amendment No. 1 which fails of adoption by electronic vote (40-61).

On motion of Representative J. Brown, the bill is temporarily displaced.

Committee Substitute for **H.B. 817,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PERFORMANCE OF ENVIRONMENTAL AUDITS BY PROVIDING A LIMITED PRIVILEGE AGAINST THE

DISCLOSURE OF AN ENVIRONMENTAL AUDIT REPORT AND TO GRANT IMMUNITY FROM CIVIL AND CRIMINAL PENALTIES TO A PERSON OR OTHER ENTITY THAT VOLUNTARILY DISCLOSES A VIOLATION OF AN ENVIRONMENTAL LAW.

Representative Nichols calls the previous question on the passage of the bill and the call is sustained by electronic vote (68-30).

The bill, as amended, passes its third reading, by electronic vote (79-21), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 899, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DISPOSAL OF ABANDONED PROPERTY BY LANDLORDS AND TO AMEND THE LAW OF SUMMARY EJECTMENT BY REDUCING THE TIME ALLOWED FOR A DEFENDANT TO APPEAR IN COURT, BY ALLOWING A LANDLORD TO HAVE UNCLAIMED PROPERTY OF AN EJECTED TENANT PLACED AT THE NEAREST PUBLIC RIGHT-OF-WAY, AND BY REVISING THE APPLICATION OF THE RETALIATORY EVICTION DEFENSE.

Representative Womble offers Amendment No. 4 which is adopted by electronic vote (97-5).

The bill, as amended, passes its third reading, by electronic vote (100-6), and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 265,** A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF PROCESS BY A PRIVATE PROCESS SERVER WHEN A PROPER OFFICER RETURNS SERVICE OF PROCESS UNEXECUTED, passes its third reading, by electronic vote (87-21), and is ordered sent to the Senate by Special Message.

Representatives Hightower and Barnes state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (89-21).

Committee Substitute for **H.B. 673,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION, APPOINTMENTS, AND TERMS OF VARIOUS BOARDS, COMMISSIONS, AND AUTHORITIES WITHIN STATE GOVERNMENT, which was temporarily displaced, is before the Body.

Representative Watson offers Amendment No. 2.

The electronic vote is (52-52). The Speaker votes "aye" and the adjusted vote total is (53-52). Amendment No. 2 is adopted.

The bill, as amended, passes its third reading, by electronic vote (94-13), and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 844,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAW.

Representative H. Hunter requests that he be excused from voting on this bill, because of a possible conflict, pursuant to Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 366,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE UTILITIES COMMISSION TO ISSUE CERTIFICATES OF CONVENIENCE AND NECESSITY FOR NATURAL GAS SERVICE FOR ALL AREAS OF THE STATE FOR WHICH CERTIFICATES HAVE NOT BEEN ISSUED, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of the Chair, the House recesses at 12:07 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

H.B. 871, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO APPOINT ASSISTANCE TEAMS TO LOW PERFORMING SCHOOLS.

On motion of the Chair, the bill is temporarily displaced.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan, **H.B. 757,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ENACTMENT OF A PLANNED COMMUNITY ACT, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 626, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE COUNTY OF SCOTLAND, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 642, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SIZE OF THE BOARD OF COMMISSIONERS OF EDGECOMBE COUNTY FROM FIVE TO SEVEN MEMBERS AND PROVIDE FOR THE ELECTORAL DISTRICTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 11. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 756,** A BILL TO BE ENTITLED AN ACT TO AID IN ENSURING THAT RESIDENTS IN DOMICILIARY CARE HOMES ARE IN SAFE AND WELL-MANAGED FACILITIES, passes its second reading, by electronic vote (75-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 858,** A BILL TO BE ENTITLED AN ACT TO ALLOW REGISTERED VOTERS TO CHOOSE ON PRIMARY DAY THE PARTY IN WHOSE PRIMARY THEY WILL VOTE.

On motion of Representative Miner and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 272,** A BILL TO BE ENTITLED AN ACT TO ALLOW PARTIAL DISTRIBUTION AWARDS PRIOR TO FINAL JUDGMENT IN EQUITABLE DISTRIBUTION CASES.

Representative Culpepper offers Amendment No. 1 which is adopted by electronic vote (91-0).

The bill, as amended, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 630, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT INSTITUTION.

On motion of Representative Grady and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations, Subcommittee on Education.

Committee Substitute for **H.B. 914,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPOINTMENT AND CONDITIONS OF OFFICE

OF MEMBERS OF THE BOARDS OF TRUSTEES OF COMMUNITY COLLEGES.

Representative Dockham moves, having voted with the prevailing side, that the vote by which Amendment No. 1 was adopted be reconsidered. The motion carries by electronic vote (103-2).

Representative Dockham withdraws Amendment No. 1.

Representative Dockham offers Amendment No. 3.

REPRESENTATIVE RUSSELL, SPEAKER PRO TEMPORE, PRESIDING.

Amendment No. 3 is adopted by electronic vote (108-3).

Representative McMahan offers Amendment No. 4 which is adopted by electronic vote (105-3).

The bill, as amended, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 787,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF LICENSED PHARMACISTS UNDER HEALTH INSURANCE POLICIES AND PLANS, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 879,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S GUN LAWS BY PREEMPTING LOCAL REGULATION.

Representative Barnes offers Amendment No. 1.

Representative Decker inquires of the Chair if the amendment is divisible

pursuant to Rule 24.1B. The Chair rules that it is not.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (105-5).

Amendment No. 1 is adopted by electronic vote (80-34).

Representative Luebke offers Amendment No. 2 which fails of adoption by electronic vote (38-67).

Representative Creech calls the previous question on the passage of the bill and the call is sustained by electronic vote (79-30).

The bill, as amended, passes its second reading by electronic vote (91-17).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

H.B. 871, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO APPOINT ASSISTANCE TEAMS TO LOW PERFORMING SCHOOLS, which was temporarily displaced, is before the Body.

Representative Sexton offers Amendment No. 1 which is adopted by electronic vote (108-0).

Representative Locke calls the previous question on the passage of the bill and the call is sustained by electronic vote (99-4).

The bill, as amended, passes its second reading, by electronic vote (102-5), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 958,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED PROFESSIONAL COUNSELORS UNDER THE STATE HEALTH PLAN FOR MENTAL HEALTH AND CHEMICAL DEPENDENCY TREATMENT, passes its second reading, by electronic vote (103-1), and there

being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 467, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR AND TO INCREASE THE CRIMINAL PENALTY FOR PROMOTING PROSTITUTION OF A MINOR.

SPEAKER BRUBAKER PRESIDING.

The bill passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 468, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 545, A BILL TO BE ENTITLED AN ACT TO BROADEN THE LAW PROVIDING FOR THE ESTABLISHMENT OF CARTWAYS, which was temporarily displaced, is before the Body.

Representative R. Hunter offers Amendment No. 2 which is adopted by electronic vote (103-6).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (88-22).

The bill, as amended, passes its third reading, by electronic vote (73-37), and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 534, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EVIDENCE THAT A MOTOR VEHICLE PASSED A STOPPED SCHOOL BUS IS PRIMA FACIE EVIDENCE THAT THE OWNER OF THE VEHICLE WAS OPERATING IT AT THE TIME OF THE VIOLATION, passes its second reading, by electronic vote (97-9), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 893,** A BILL TO BE ENTITLED AN ACT TO CREATE UNIFORM PROCEDURES FOR REVIEW OF MINING, HAZARDOUS WASTE, WATER, AND AIR PERMIT DECISIONS AND TO STREAMLINE THE PERMIT REVIEW PROCESS, passes its second reading, by electronic vote (80-19), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 878, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARENTAL CONSENT FOR SERVICES PROVIDED AT SCHOOL-BASED HEALTH CLINICS AND TO LIMIT THE SCOPE OF THE SERVICES PROVIDED.

On motion of Representative Cansler, Committee Amendment No. 1 is adopted by electronic vote (96-0).

The bill, as amended, passes its second reading, by electronic vote (76-26), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 849,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF ABC PERMITS AT SPORTS

CLUBS IN CERTAIN COUNTIES, passes its second reading, by electronic vote (77-25), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 447,** A BILL TO BE ENTITLED AN ACT TO REQUIRE AN AMBULANCE PROVIDER LICENSE, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 785, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE OPEN MEETINGS LAW APPLIES TO ALL PROCEDURES OF THE GENERAL ASSEMBLY INCLUDING THE BUDGET PROCESS.

On motion of the Chair, the bill is temporarily displaced.

H.B. 515, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF THE TERM "RELEVANT MARKET AREA" IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 601, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE LICENSING REQUIREMENTS FOR CERTAIN PESTICIDE APPLICATORS, passes its second reading by electronic vote (93-12).

Representative Culp objects to the third reading. The bill remains on the Calendar.

H.B. 910, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHEN THEY ARE BICYCLE OPERATORS OR PASSENGERS.

Representative McAllister calls the previous question on the passage of the bill and the call is sustained by electronic vote (93-13).

The bill passes its second reading by electronic vote (74-35).

Representative Fox objects to the third reading. The bill remains on the Calendar.

H.B. 831, A BILL TO BE ENTITLED AN ACT TO ALLOW AREA MENTAL HEALTH AUTHORITIES TO USE STATE FUNDS FOR THE USE OF MORE TYPES OF FACILITIES AND FOR FACILITIES OPERATED BY GOVERNMENTAL ENTITIES, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 241, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT NONCERTIFICATED PUBLIC SCHOOL EMPLOYEES BE HIRED ON A CONTINUING CONTRACT.

Committee Amendment No. 1 is offered by Representative Cummings.

Representative Cummings calls the previous question on the amendment and the call is sustained by electronic vote (82-13).

Committee Amendment No. 1 fails of adoption by electronic vote (45-55).

The bill fails to pass its second reading by electronic vote (41-65).

POINT OF PERSONAL PRIVILEGE

On motion of Representative Sherrill and without objection, pursuant to Rule 11, the following remarks are spread upon the Journal by order of the Speaker.

"**RESOLUTION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES**

"Whereas, the Representatives, and each of us, of the North Carolina House of Representatives have taken an oath or affirmation to support the Constitution and laws of both the United States and the State of North Carolina; and

"Whereas, each member of this House has also sworn or affirmed to

faithfully discharge their duty as a member of the House of Representatives; and

"Whereas, Article I of the Constitution of North Carolina in its Declaration of Rights, Section 6 provides that the legislative, executive, and supreme judicial powers shall be forever separate and distinct from each other; and

"Whereas, the Constitution of the United States provides for a similar division of the legislative, executive, and judicial power of the federal government; and

"Whereas, the Tenth Amendment of the Constitution of the United States provides that all powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people; and

"Whereas, the separation of the powers of government and the division of responsibility between the federal government and that of the respective States reflect the genius of the Founders of the American nation; and

"Whereas, in order for the various branches of the Federal government and the respective states to work in harmony in carrying out their respective duties to the people under their Constitutions, a wise and longstanding restraint is and should be exercised among the branches and governments to avoid and ameliorate conflicts between the officials of same, especially in carrying out their constitutionally prescribed duties, in particular those duties required of the duly elected representatives of the people; and

"Whereas, a duly elected member of this House, who is also a member of the bar and an officer of the United States District Court of the Western District of North Carolina was recently made subject to a bench warrant, detained from attending a duly scheduled session of this House, and subsequently fined and barred from practice in said Western District by a Judge of the United States District Court solely due to a scheduling conflict between his constitutional duty to attend a session of this House and his statutory duty as an officer of the Court; and

"Whereas, the federal court had the discretion to allow the filed motion of the duly elected member to delay the case or withdraw from representation, thereby avoiding a conflict of duties experienced by the member; and

"Whereas, the legislature is in the midst of a crucial part of the session where deadlines are fixed for passage of legislation that members have filed; and

"Whereas, a recognized expert on constitutional law recently described the action of the court as a 'rarity' in dealing with another branch of government; and

"Whereas, officers of the United States District Court sought to engage the authority of the executive branch of the State of North Carolina to detain the said member of the legislative branch and prevent his attendance at a session of this House, which attendance the said member was bound to make;

"NOW THEREFORE, be it resolved that it is the sense of this House that the said United States District Court of the Western District of North Carolina in the person of the federal judge who is a former member of this House, and who issued the warrant for the member of this House and entered the various orders in this matter, reconsider its orders and vacate same; and

"BE IT FURTHER RESOLVED, that where there is a clear conflict between legislative and other duties which can be resolved by an act of discretion in accommodating a member it is the sense of this House that such accommodations have been and should continue to be made out of respect for the business of this House in representing the people;

"BE IT FURTHER RESOLVED, that it is the sense of this House that officers of the executive branch of the State of North Carolina shall not detain members of this House from attending sessions of this House due to orders of the judicial branches of either the state or federal government based solely on conflicts in scheduling between a member's constitutional duty to attend session and a member's statutory duty as an officer of any Court.

"BE IT FURTHER RESOLVED, that the House request and calls upon the Attorney General of the State of North Carolina to represent said member of this House in his appeal of the orders of the said District Court to the Fourth Circuit of the United States Court of Appeals, or in the alternative to authorize the representation by and payment to private independent counsel of the said member's choice for said appeal.

"BE IT FURTHER RESOLVED, that the Clerk of the House shall deliver certified copies of this Resolution to the United States Court of the Western District of North Carolina and its Senior Judge; the Senior Judge of the Fourth

Circuit of the United States Court of Appeals; the Attorney General of North Carolina; and to the Governor of North Carolina.

This 10th day of May, 1995."

CALENDAR (continued)

H.B. 955, A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL.

On motion of Representative Wood, Committee Amendment No. 1 is adopted by electronic vote (86-4).

On motion of Representative Barnes, Committee Amendment No. 2 is adopted by electronic vote (88-6).

On motion of Representative Barnes, Committee Amendment No. 3 is adopted by electronic vote (91-5).

Representative Barnes offers Committee Amendment No. 4 which fails of adoption by electronic vote (36-67).

On motion of Representative Barnes, Committee Amendment No. 5 is adopted by electronic vote (105-1).

The bill, as amended, passes its second reading, by electronic vote (67-42), and there being no objection is read a third time.

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (73-32).

The bill, as amended, passes its third reading, by electronic vote (66-44), and is ordered engrossed and sent to the Senate by Special Message.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Pate and without objection, **H.B. 785,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE OPEN MEETINGS LAW APPLIES TO ALL PROCEDURES OF THE GENERAL ASSEMBLY INCLUDING THE BUDGET PROCESS, is withdrawn from the

Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

H.B. 568, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND IMPROVE SANCTIONS FOR WILLFUL FAILURE TO DISCLOSE PRIOR DAMAGE TO A MOTOR VEHICLE.

On motion of Representative Blue, Committee Amendment No. 1 is adopted by electronic vote (99-0).

The bill, as amended, passes its second reading, by electronic vote (85-17), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 744,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DOMICILIARY FACILITIES FOUND ON INSPECTION TO HAVE LEFT A RESIDENT UNATTENDED BE PENALIZED, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 588, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO PROVIDE MEDICAL RELEASE FOR LOW-RISK OLDER INMATES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

The committee substitute bill is re-referred to the Committee on

Appropriations, Subcommittee on Justice and Public Safety. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 657, A BILL TO BE ENTITLED AN ACT MAKING SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN CHATHAM COUNTY, with recommendation that the House concur.

The bill is placed on the Calendar of May 11.

CALENDAR (continued)

H.B. 835, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES RELATING TO CIVIL ACTIONS BROUGHT TO RECOVER FROM THIRD PARTIES STATE FUNDS EXPENDED ON MEDICAL CARE.

Representative Cansler offers Amendment No. 1 which is adopted by electronic vote (97-0).

The bill, as amended, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 905,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CIVIL REMEDIES AVAILABLE FOR RETURNED CHECKS, passes its second reading, by electronic vote (94-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 829,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VARIOUS GROUNDS FOR DISCIPLINE OF PRACTITIONERS OF CHIROPRACTIC BY THE STATE BOARD OF CHIROPRACTIC EXAMINERS, passes its second reading, by electronic vote (75-26), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by

Special Message.

Representative Hightower requests to be recorded as voting "aye" and this request is granted. The adjusted vote total is (76-25).

Committee Substitute for **H.B. 227,** A BILL TO BE ENTITLED AN ACT TO CODIFY THE CREATION BY THE 1993 GENERAL ASSEMBLY OF THE INSTITUTE OF MEDICINE, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 897,** A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 645,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY AND THE POSSESSION OF ALCOHOLIC BEVERAGES ON PUBLIC STREETS, ALLEYS, OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS.

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (94-13).

The bill passes its second reading by electronic vote (98-10).

Representative Decker objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 855,** A BILL TO BE ENTITLED AN ACT TO UPDATE AND REVISE THE LAWS AFFECTING LOCAL GOVERNMENT CONTRACTING.

Representative Shaw offers Amendment No. 1 which is adopted by electronic vote (53-51).

The bill, as amended, passes its second reading, by electronic vote (106-3), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 295,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH PRIORITY FOR PAYMENT OF LIABILITY CLAIMS FOR RENTAL CARS UNDER CERTAIN CIRCUMSTANCES, passes its second reading, by electronic vote (99-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 911, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE TAX CHECK-OFF FOR POLITICAL PARTIES AND THE PUBLIC FINANCING OF CANDIDATES.

On motion of Representative Miner, Committee Amendment No. 1 is adopted by electronic vote (101-2). This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (82-29). The caption having been amended, the bill remains on the Calendar.

Committee Substitute for **H.B. 333,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A REGISTER OF DEEDS WHO COMPLETES SERVICE AFTER TEN YEARS OF ELIGIBLE SERVICE AS REGISTER OF DEEDS BUT DOES NOT COMMENCE RETIREMENT FROM THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM MAY RECEIVE A MONTHLY PENSION FROM THE REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND UPON RETIREMENT UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, passes its second reading by electronic vote (105-3).

Representative Allred objects to the third reading. The bill remains on the Calendar.

On motion of the Chair, the House recesses at 5:50 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Decker withdraws his objection to the third reading of Committee Substitute for **H.B. 645**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY AND THE POSSESSION OF ALCOHOLIC BEVERAGES ON PUBLIC STREETS, ALLEYS, OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS.

The bill, as amended, passes its third reading, by electronic vote (76-2), and is ordered engrossed and sent to the Senate by Special Message.

CALENDAR (continued)

Committee Substitute for **H.B. 669,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR RECALL ELECTIONS FOR THE BOARD OF COMMISSIONERS OF ALAMANCE COUNTY SERVING FOUR-YEAR TERMS.

On motion of the Chair, the bill is temporarily displaced.

H.B. 746, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN INCREASE IN THE MINIMUM WAGE IF THE FEDERAL MINIMUM WAGE INCREASES.

Representative Arnold inquires of the Chair if there is any way that the bill can be carried over after the cross-over deadline. The Speaker rules that the bill is subject to the cross-over deadline.

The bill passes its second reading by electronic vote (56-54).

Representative Creech objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Allred withdraws his objection to the third reading of Committee Substitute for **H.B. 333,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A REGISTER OF DEEDS WHO COMPLETES SERVICE AFTER TEN YEARS OF ELIGIBLE SERVICE AS REGISTER OF DEEDS BUT DOES NOT COMMENCE RETIREMENT FROM THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM MAY RECEIVE A MONTHLY PENSION FROM THE REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND UPON RETIREMENT UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

CALENDAR (continued)

Committee Substitute for **H.B. 669,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR RECALL ELECTIONS FOR THE BOARD OF COMMISSIONERS OF ALAMANCE COUNTY SERVING FOUR-YEAR TERMS, which was temporarily displaced, is before the Body.

The bill fails to pass its second reading by electronic vote (26-80).

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Fox withdraws his objection to **H.B. 910,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHEN THEY ARE BICYCLE OPERATORS OR PASSENGERS.

Representative Arnold objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, the following bills are withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **H.B. 931,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A STUDY OF THE METHOD OF MEASURING

AVOIDED COST OF ENERGY TO A UTILITY IN DETERMINING THE RATES PAID BY UTILITIES TO SMALL POWER PRODUCERS; and

Committee Substitute for **H.B. 684,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE TO STUDY WHETHER THE EXTENSION OF AN INTERSTATE NATURAL GAS PIPELINE SHOULD BE ENCOURAGED BY EXEMPTING GENERATION FACILITIES SERVED BY THAT PIPELINE FROM REGULATION AS PUBLIC UTILITIES.

CALENDAR (continued)

Committee Substitute for **H.B. 923,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CITIES MAY ALLOW PAWNBROKERS ONLY WITH A SPECIAL USE PERMIT.

Representative Hill requests that he be excused from voting on this bill, due to a conflict of interest, pursuant to Rule 24.1A and this request is granted.

Representative Robinson calls the previous question on the passage of the bill and the call is sustained by electronic vote (104-4).

The bill passes its second reading by electronic vote (80-31).

Representative Lemmond objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 935,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL ENTRANCES AND EXITS IN DOMICILIARY CARE FACILITIES BE EQUIPPED WITH ALARMS AND THAT THE DEPARTMENT OF HUMAN RESOURCES DEVELOP PROPOSED RULES AND REPORT TO THE NORTH CAROLINA STUDY COMMISSION ON AGING, passes it second reading by electronic vote (95-15).

Representative Nye objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 906,** A BILL TO BE ENTITLED AN ACT TO ENSURE THAT EDUCATIONAL MATERIALS THAT ARE EDUCATIONALLY UNSUITABLE, PERVASIVELY VULGAR, OR INAPPROPRIATE TO THE AGE, MATURITY, OR GRADE LEVEL OF

THE STUDENTS ARE REMOVED FROM THE PUBLIC SCHOOLS, passes its second reading by electronic vote (76-32).

Representative Hensley objects to the third reading. The bill remains on the Calendar.

Committee Substitute No. 2 for **H.B. 842,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE CURRENT STATUTES REGARDING FRAUDULENT CONVEYANCES AND TO ADOPT THE UNIFORM FRAUDULENT TRANSFER ACT IN ORDER TO MODERNIZE NORTH CAROLINA LAW AND HARMONIZE OUR LAW ON THIS SUBJECT WITH THOSE STATES THAT HAVE ADOPTED THIS UNIFORM ACT, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

RE-REFERRAL

On motion of Representative Daughtry and without objection, **H.B. 934,** A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND RELATED LAWS, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Health and Environment.

CALENDAR (continued)

Committee Substitute for **H.B. 851,** A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES WITH REGARD TO FORFEITURE OF SURETY BONDS, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.J.R. 450, A JOINT RESOLUTION REPEALING A JOINT RESOLUTION PROVIDING FOR A DECLARATION OF THE FEDERATION OF THE WORLD.

Representative Richardson inquires of the Chair if the House Rules state that resolutions have no life beyond the session. The Chair directs the inquiry to Representative Morgan who states that according to the Rules, resolutions are applicable for the life of session.

Representative Hensley inquires of the Chair, if pursuant to Rule 31(b), the resolution can repeal a previous resolution if it can't repeal a statute. The Speaker directs the inquiry to Representative Morgan who states that the resolution conforms to the Rules.

Representative Cunningham inquires of the Chair if the resolution is in order. The Chair rules that it takes a resolution to repeal a resolution and the resolution is in order.

Representative Cunningham moves that the resolution be withdrawn from the Calendar and placed on the Calendar of May 11.

Representative Richardson inquires of the Chair if the Rules state that resolutions only have binding effect for a particular session, will each subsequent General Assembly need to repeal the resolution. The Chair states that it takes a resolution to repeal a resolution according to our Rules.

Representative Morgan calls the previous question on the motion to re-calendar the resolution and the call is sustained by electronic vote (95-14).

The motion fails by electronic vote (41-70).

Representative Morgan calls the previous question on the passage of the resolution and the call is sustained by electronic vote (91-19).

The resolution passes its second reading by electronic vote (96-15).

Representative Cunningham objects to the third reading. The resolution remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.J.R. 571, A JOINT RESOLUTION DEMANDING THAT THE FEDERAL GOVERNMENT CEASE AND DESIST MANDATES THAT ARE BEYOND THE SCOPE OF ITS CONSTITUTIONALLY DELEGATED POWERS AND HONORING THE MEMORY OF RICHARD DOBBS

SPAIGHT, WILLIAM BLOUNT, AND HUGH WILLIAMSON, passes its second reading by electronic vote (93-7).

Representative Hensley objects to the third reading. The resolution remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.J.R. 850,** A JOINT RESOLUTION HONORING THE MEMORY OF COLONEL HENRY ELI KENDALL, JR., FOR HIS COMMITMENT TO CONSERVATIVE AND EFFECTIVE UTILIZATION OF PUBLIC FUNDS DURING HIS SERVICE AS CHAIR OF THE EMPLOYMENT SECURITY COMMISSION, AND REQUESTING CONGRESS TO DEVOLVE THE UNEMPLOYMENT INSURANCE SYSTEM BACK TO STATE CONTROL, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Nichols for the Committee on Health and Environment:

H.B. 934, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND RELATED LAWS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 11.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 895,** A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE OF FEDERAL MANDATES BY REQUIRING THE CERTIFICATION OF PROPOSED LEGISLATION AND RULES PURPORTED TO BE REQUIRED BY FEDERAL LAW, TO PROVIDE FOR

REVIEW BY THE GOVERNOR OF ADMINISTRATIVE RULES THAT WOULD INCREASE OR DECREASE EXPENDITURES OR REVENUES OF UNITS OF LOCAL GOVERNMENT, TO AMEND THE LOCAL GOVERNMENT FISCAL INFORMATION ACT TO REQUIRE THE PREPARATION OF FISCAL NOTES FOR CERTAIN PROPOSED LEGISLATION, AND TO PROVIDE FOR THE COMPILATION OF THE COSTS OF FEDERAL MANDATES ON THE EXPENDITURES AND REVENUES OF STATE GOVERNMENT AND LOCAL GOVERNMENTS, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Morgan, seconded by Representative Hurley, the House adjourns at 7:40 p.m. to reconvene May 11 at 10:00 a.m.

SIXTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, May 11, 1995

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, this prayer has been engrossed, but I'm pretty sure that it could stand another amendment or two. But, I'm so thankful that it takes more than an objection to stop Your law or to keep us from talking with You. Father, this has been an unusual and interesting week, hectic and hard, compacted and confusing, fulfilling and frustrating, but good. This is democracy in action and some mighty good stuff has come down this week, but, Father, I guess that some of it could have been tossed into the wagon with the rest of the material I was hauling out to the garden. Everybody is to be thanked for a job well done, and win, lose, or draw, I can tell their constituents that they gave it their best shot. But, it will be good to be going home for a few days, and when we go to church on Sunday, please let our preacher have sense enough to say something that will be true to Your Word and that will

help us. Teach us to look up and to remember in order that we may the better look down and help. And, Father, remind us that:

'Behind each loaf is the snowy flour, and
Behind the flour is the mill, and
Behind the mill is the seed and the sower, and
The sun and the rain and the Father's will.'

In Your name we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (78-0).

Leaves of absence are granted Representatives Fitch and Nichols for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 128, AN ACT TO PERMIT THE CITY OF HENDERSON AND THE CITY OF ASHEVILLE TO USE WHEEL LOCKS ON CERTAIN ILLEGALLY PARKED VEHICLES. (CHAPTER 75)

H.B. 508, AN ACT TO CHANGE THE NONPARTISAN ELECTION OF THE TRANSYLVANIA COUNTY BOARD OF EDUCATION FROM THE DATE OF THE PRIMARY TO THE DATE OF THE GENERAL ELECTION. (CHAPTER 76)

H.B. 662, AN ACT TO CHANGE THE MANNER OF ELECTION OF THE MARTIN COUNTY BOARD OF EDUCATION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION. (CHAPTER 77)

H.B. 679, AN ACT AMENDING THE STATUTORY DEFINITION OF SUBDIVISION IN DAVIE COUNTY. (CHAPTER 78)

H.B. 698, AN ACT RELATING TO THE DAILY DEPOSIT OF

COLLECTIONS AND RECEIPTS BY THE CITY OF GREENSBORO. (CHAPTER 79)

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative McComas:

H.B. 1058, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE TAX LAW IN LIGHT OF FEDERAL LAW PREEMPTING STATE REGULATION OF MOST MOTOR FREIGHT CARRIERS, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representative Cocklereece:

H.B. 1059, A BILL TO BE ENTITLED AN ACT TO EXEMPT LOCAL PAY PHONE SERVICES FROM SALES TAX, is referred to the Committee on Finance.

By Representative McComas:

H.B. 1060, A BILL TO BE ENTITLED AN ACT AMENDING THE GENERAL STATUTES RELATING TO THE CONSOLIDATION OF CITIES AND COUNTIES AND CONSOLIDATED CITY-COUNTY TAXATION AND FINANCE, is referred to the Committee on Finance.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute No. 2 for **S.B. 57,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL AND TO MAKE OTHER CHANGES IN THE ABC LAWS, is read the first time and referred to the Committee on Judiciary II.

S.B. 81, A BILL TO BE ENTITLED AN ACT TO ENACT THE REVISED ARTICLE 3 OF THE UNIFORM COMMERCIAL CODE AND

CONFORMING AND MISCELLANEOUS AMENDMENTS TO ARTICLES 1 AND 4 OF THE UNIFORM COMMERCIAL CODE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary I.

S.B. 126, A BILL TO BE ENTITLED AN ACT TO CREATE THE LONG-TERM CARE SUBCOMMITTEE AND TO PROVIDE FOR THE CREATION OF OTHER SUBCOMMITTEES OF THE NORTH CAROLINA STUDY COMMISSION ON AGING AND TO MAKE CHANGES TO THE LONG-TERM CARE LAW, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 181,** A BILL TO BE ENTITLED AN ACT PERMITTING A PORTION OF THE INCOME RECEIVED BY PUBLIC HOSPITALS FROM A CHARITABLE TRUST TO BE INVESTED AS ASSETS OF THE TRUST COULD BE INVESTED, is read the first time and referred to the Committee on Finance.

S.B. 293, A BILL TO BE ENTITLED AN ACT TO PERMIT THE IMPORTATION AND BOTTLING OF SPIRITUOUS LIQUOR WITHIN FOREIGN TRADE ZONES LOCATED AT THE WILMINGTON AND MOREHEAD CITY PORTS, is read the first time and referred to the Committee on Business and Labor.

S.B. 312, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INSANITY HEARING FOR A DEFENDANT FOUND NOT GUILTY BY REASON OF INSANITY TO BE HELD IN THE SAME COUNTY AS THE RESPONDENT'S TRIAL WAS HELD, is read the first time and referred to the Committee on Judiciary I.

S.B. 349, A BILL TO BE ENTITLED AN ACT TO REVISE THE MEMBERSHIP OF THE HOUSING COORDINATION AND POLICY COUNCIL, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 452, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT FORMER LEGISLATORS WAIT TWO YEARS BEFORE SERVING ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is read the first time and referred to the Committee on Education.

S.B. 481, A BILL TO BE ENTITLED AN ACT TO ALLOW THE

LENOIR COUNTY BOARD OF EDUCATION TO BUILD A CENTRAL OFFICE FACILITY ON LAND LEASED FROM THE STATE OF NORTH CAROLINA, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 501, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PARENTS OF A DEPENDENT CHILD WHO IS THE PARENT OF A DEPENDENT CHILD TO CONTRIBUTE TO THE SUPPORT OF THEIR GRANDCHILD, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

S.B. 541, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REVIEW OF THE DIRECTOR OF SOCIAL SERVICES' DECISIONS NOT TO FILE ABUSE, NEGLECT, OR DEPENDENCY PETITIONS AND TO MAKE CLARIFYING CHANGES TO THE LAW GOVERNING INVESTIGATIONS OF REPORTS OF ABUSE, NEGLECT, AND DEPENDENCY, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

S.B. 597, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT WHO IS CONVICTED OF A DRUG TRAFFICKING CONSPIRACY IS NOT ELIGIBLE FOR INTERMEDIATE SANCTIONS UNDER THE STRUCTURED SENTENCING ACT, is read the first time and referred to the Committee on Judiciary II.

S.B. 616, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY TO MAIM, TO SERIOUSLY INJURE, OR TO KILL A LAW-ENFORCEMENT ANIMAL, is read the first time and referred to the Committee on Judiciary II.

S.B. 642, A BILL TO BE ENTITLED AN ACT TO UPDATE THE FEE STRUCTURE OF THE NORTH CAROLINA BOARD FOR SOCIAL WORK, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 661,** A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN MONTGOMERY COUNTY, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 681, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH GREENSBORO MAY USE THE PROCEEDS OF ITS LOCAL OCCUPANCY TAX, is read the first time and referred to the

Committee on Local and Regional Government II.

Committee Substitute for **S.B. 691,** A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 725, A BILL TO BE ENTITLED AN ACT TO EXEMPT RICHMOND COUNTY FROM CERTAIN RESTRICTIONS RELATING TO THE SALE OF HOSPITAL FACILITIES TO NONPROFIT CORPORATIONS, is read the first time and referred to the Committee on Local and Regional Government I.

Committee Substitute for **S.B. 737,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT COUNTIES PAY THEIR LOCAL SHARE OF PUBLIC ASSISTANCE PROGRAM BENEFITS BY ELECTRONIC FUNDS TRANSFER, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

S.B. 754, A BILL TO BE ENTITLED AN ACT TO ALLOW MOTOR VEHICLE DEALERS TO INCLUDE IN THEIR POSSESSORY LIENS AMOUNTS FOR RENTAL OF SUBSTITUTE VEHICLES AND TO ALLOW LIENORS WHO PURCHASE FOR VALUE AT A SALE TO ACQUIRE CLEAR TITLE TO THE SAME EXTENT AS OTHER PURCHASERS, is read the first time and referred to the Committee on Business and Labor.

S.B. 792, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FORFEITURE ROLL FOR BAIL BONDS ORDERED FORFEITED IN THE DISTRICT COURT MAY BE HEARD IN THE DISTRICT COURT, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 793,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RELEASE OF PHARMACY RECORDS FOR THE PURPOSE OF OBTAINING REIMBURSEMENT AND TO PROVIDE REGULATION OF LOCATIONS SHIPPING, MAILING, OR DELIVERING DEVICES OR MEDICAL EQUIPMENT TO NORTH CAROLINA RESIDENTS, is read the first time and referred to the Committee on Business and Labor.

S.B. 813, A BILL TO BE ENTITLED AN ACT TO CHANGE THE

NAME OF THE CHIEF OF THE COUNTY ELECTION STAFF FROM "SUPERVISOR OF ELECTIONS" TO "DIRECTOR OF ELECTIONS", is read the first time and referred to the Committee on Judiciary II.

S.B. 828, A BILL TO BE ENTITLED AN ACT TO MAKE APPOINTMENTS TO VARIOUS COMMISSIONS UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 855, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP PREFERRED PROVIDER ORGANIZATIONS, HEALTH MAINTENANCE ORGANIZATIONS, AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, is read the first time and referred to the Committee on Health and Environment.

S.B. 862, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXCEPTION TO THE LAW VOIDING FORUM SELECTION PROVISIONS IN CONTRACTS BY VALIDATING ACTIONS COMMENCED PURSUANT TO SUCH PROVISIONS WITH THE CONSENT OF ALL PARTIES TO THE CONTRACT, is read the first time and referred to the Committee on Judiciary I.

S.B. 864, A BILL TO BE ENTITLED AN ACT TO REQUIRE ADULT CARE HOMES TO SUBMIT ANNUAL AUDITED REPORTS OF ACTUAL COSTS AND TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES TO ADOPT RULES TO ENSURE QUALITY OF CARE IN ADULT CARE HOMES, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

S.B. 899, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN FINANCIAL INSTITUTIONS' RECORDS ARE CONFIDENTIAL, is read the first time and referred to the Committee on Financial Institutions.

S.B. 922, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL EDUCATIONAL AND CAREER OPPORTUNITIES FOR TEACHER ASSISTANTS, is read the first time and referred to the Committee on Education.

S.B. 967, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM TO PERMIT COMMUNITY COLLEGES TO USE

INMATE LABOR FOR CAPITAL CONSTRUCTION PROJECTS, is read the first time and referred to the Committee on Education.

S.B. 1078, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL BOARDS OF EDUCATION TO HAVE MATERIALS POSTED TO EDUCATE STUDENTS ABOUT THE MORAL, ETHICAL, AND VIRTUOUS PRINCIPLES OF THE WORLD'S RELIGIONS AND THE GREAT PHILOSOPHERS OF CIVILIZATION, is read the first time and referred to the Committee on Education.

S.B. 632, A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAW, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 873,** A BILL TO BE ENTITLED AN ACT TO CLARIFY AND SIMPLIFY THE PUBLIC NOTICE REQUIREMENTS FOR THE REZONING OF PROPERTY, is read the first time and referred to the Committee on Judiciary I.

S.B. 919, A BILL TO BE ENTITLED AN ACT TO PERMIT A MOTOR VEHICLE DEALER TO NAME A SUCCESSOR TO THE FRANCHISE AND TO REQUIRE THAT OBJECTIONS TO THIS APPOINTMENT BE RAISED AT THE TIME THE APPOINTMENT IS MADE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 975, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPOSIT OF TOBACCO ASSESSMENT FUNDS WITH THE NORTH CAROLINA TOBACCO FOUNDATION, is read the first time and referred to the Committee on Agriculture.

S.B. 1001, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF THE BEACH ACCESS PROGRAM TO PROJECTS DESIGNED TO PROVIDE ACCESS TO COASTAL WATERS, is read the first time and referred to the Committee on Health and Environment.

S.B. 1017, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NORTH CAROLINA TO THE NORTH CAROLINA MEDICAL BOARD AND TO MAKE CONFORMING CHANGES THROUGHOUT THE GENERAL STATUTES, is read the first time and referred to the Committee on Business and Labor.

S.B. 1021, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT HOME HEALTH AGENCIES ARE RESTRICTED TO SERVING PATIENTS WITHIN THEIR SERVICE AREA, TO SUNSET THIS RESTRICTION IN TWO YEARS, AND TO REQUIRE THE HEALTH PLANNING COMMISSION TO DETERMINE WHETHER TO RECOMMEND THE RESTRICTION BE CONTINUED, is read the first time and referred to the Committee on Health and Environment.

S.B. 1041, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MINIMUM STREAMFLOW IN THE LENGTH OF THE STREAM AFFECTED BY CERTAIN DAMS OPERATED BY SMALL HYDROELECTRIC POWER PRODUCERS AND TO PROVIDE THAT THE MINIMUM STREAMFLOWS THUS SPECIFIED ARE THE POLICY OF THE STATE FOR SUCH DAMS, WHETHER OR NOT A PARTICULAR DAM IS SUBJECT TO THE DAM SAFETY LAW OF 1967, is read the first time and referred to the Committee on Public Utilities.

S.B. 1046, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE STATE NATURE AND HISTORIC PRESERVE AND TO AUTHORIZE THE DELETION OF VARIOUS PROPERTIES FROM THE STATE PARKS SYSTEM, is read the first time and referred to the Committee on Health and Environment.

CALENDAR

Action is taken on the following:

H.B. 519, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TRAPPING AND KILLING OF RED WOLVES BY OWNERS OF PRIVATE LAND IN BEAUFORT COUNTY.

On motion of Representative Edwards, the House concurs in the Senate amendment, which changes the title, by electronic vote (95-9), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 657,** A BILL TO BE ENTITLED AN ACT MAKING SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN CHATHAM COUNTY.

On motion of Representative Culp, the House concurs in the Senate committee substitute, by electronic vote (106-0), and the bill is ordered enrolled.

H.B. 375, A BILL TO BE EN TITLED AN ACT TO REMOVE THE LIMITATION ON FUNDING FOR THE PER DIEM COSTS OF INMATES HOUSED OUT-OF-STATE.

On motion of Representative Richardson, the House concurs in the Senate amendment, by electronic vote (111-0), and the bill is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 643, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE BOUNDARIES OF THE HEARTSEASE FIRE TAX DISTRICT AND THE HARRISON FIRE TAX DISTRICT IN EDGECOMBE COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culpepper, Cummings, Cunningham, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Fitch and Nichols - 2.

Committee Substitute for **H.B. 619,** A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CHARLOTTE-MECKLENBURG, FRANKLIN, JOHNSTON, AND NASH SCHOOL ADMINISTRATIVE UNITS FROM CERTAIN STATUTORY REQUIREMENTS IN SOME SCHOOL CONSTRUCTION CONTRACTS.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute No. 2 for **H.B. 495,** A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY IN ALAMANCE, CUMBERLAND, DAVIE, DAVIDSON, GASTON, GUILFORD, LINCOLN, MECKLENBURG, UNION, AND WAKE COUNTIES TO INJURE OR KILL A LAW ENFORCEMENT OR FIRE INVESTIGATION AGENCY ANIMAL, TO CREATE A NEW OFFENSE FOR ASSAULT WITH A FIREARM UPON A LAW ENFORCEMENT OR FIRE INVESTIGATION AGENCY ANIMAL, AND TO CREATE A NEW OFFENSE FOR SIMPLE ASSAULT OR SIMPLE ASSAULT AND BATTERY UPON A LAW ENFORCEMENT OR FIRE INVESTIGATION AGENCY ANIMAL.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 602,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM ON THE REPEAL OF THE CHARTER OF THE TOWN OF SANDYFIELD, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 173, A BILL TO BE ENTITLED AN ACT TO CREATE A SAFETY ZONE AROUND MERCHANTS MILLPOND STATE PARK BY PROHIBITING HUNTING IN THE VICINITY OF THE PARK, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 316, A BILL TO BE ENTITLED AN ACT TO ALLOW ALAMANCE COUNTY RESIDENTS OF THE EXTRATERRITORIAL PLANNING JURISDICTION OF A CITY TO VOTE IN ELECTIONS OF THAT CITY.

On motion of Representative Allred, the bill is temporarily displaced.

H.B. 713, A BILL TO BE ENTITLED AN ACT TO PERMIT THE PERSONAL USE OF MATTHEWS POLICE CARS WITHIN SPECIFIC AREAS, passes its second reading and there being no objection is read a third

time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 642,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE SIZE OF THE BOARD OF COMMISSIONERS OF EDGECOMBE COUNTY FROM FIVE TO SEVEN MEMBERS AND PROVIDE FOR THE ELECTORAL DISTRICTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 140,** A BILL TO BE ENTITLED AN ACT TO REVISE THE PENALTIES FOR DRIVING A VEHICLE WITHOUT INSURANCE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representative Nye.

Excused absences: Representatives Fitch and Nichols - 2.

Committee Substitute for **H.B. 220,** A BILL TO BE ENTITLED AN ACT REQUIRING JUST COMPENSATION FOR TAKING OF OUTDOOR ADVERTISING.

On motion of the Chair, the bill is temporarily displaced.

Committee Substitute for **H.B. 879,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S GUN LAWS BY PREEMPTING LOCAL REGULATION.

Representative Michaux offers Amendment No. 3.

On motion of Representative Daughtry, the bill with pending Amendment No. 3, is temporarily displaced.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 657, AN ACT MAKING SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN CHATHAM COUNTY. (CHAPTER 80)

CALENDAR (continued)

H.B. 601, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE LICENSING REQUIREMENTS FOR CERTAIN PESTICIDE APPLICATORS, passes its third reading, by electronic vote (92-14), and is ordered sent to the Senate by Special Message.

H.B. 910, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHEN THEY ARE BICYCLE OPERATORS OR PASSENGERS.

Representative Michaux offers Amendment No. 1 which is adopted by electronic vote (73-34).

Representative Fox offers Amendment No. 2 which is adopted by electronic vote (95-5).

Representative Hightower offers Amendment No. 3.

Representative Hackney inquires of the Chair if Amendment No. 3 is considered a material amendment. The Speaker rules that it is not material.

Amendment No. 3 is adopted by electronic vote (99-8).

Representative McAllister calls the previous question on the passage of the bill and the call is sustained by electronic vote (86-21).

The bill, as amended, passes its third reading, by electronic vote (70-40), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 911, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE TAX CHECK-OFF FOR POLITICAL PARTIES AND THE PUBLIC FINANCING OF CANDIDATES.

The bill, as amended, passes its third reading, by electronic vote (84-23), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 746, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN INCREASE IN THE MINIMUM WAGE IF THE FEDERAL MINIMUM WAGE INCREASES.

Representative Blue offers Amendment No. 1 which fails of adoption by electronic vote (55-59).

Representative Blue offers Amendment No. 2.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (83-29).

Amendment No. 2 is adopted by electronic vote (58-56).

Representative Blue calls the previous question in the passage of the bill and the call is sustained by electronic vote (94-21).

The bill fails to pass its third reading by electronic vote (56-60).

Committee Substitute for **H.B. 923,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CITIES MAY ALLOW PAWNBROKERS ONLY WITH A SPECIAL USE PERMIT, passes its third reading, by electronic vote (96-16), and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 935,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL ENTRANCES AND EXITS IN

DOMICILIARY CARE FACILITIES BE EQUIPPED WITH ALARMS AND THAT THE DEPARTMENT OF HUMAN RESOURCES DEVELOP PROPOSED RULES AND REPORT TO THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Representative Clary offers Amendment No. 1 which is adopted by electronic vote (105-0).

The bill, as amended, passes its third reading, by electronic vote (78-31), and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 906,** A BILL TO BE ENTITLED AN ACT TO ENSURE THAT EDUCATIONAL MATERIALS THAT ARE EDUCATIONALLY UNSUITABLE, PERVASIVELY VULGAR, OR INAPPROPRIATE TO THE AGE, MATURITY, OR GRADE LEVEL OF THE STUDENTS ARE REMOVED FROM THE PUBLIC SCHOOLS.

Representative Hensley offers Amendment No. 1.

On motion of Representative Morgan, seconded by Representative Brawley, Amendment No. 1 is tabled by electronic vote (71-35).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (81-29).

The bill passes its third reading, by electronic vote (77-32), and is ordered sent to the Senate by Special Message.

H.J.R. 450, A JOINT RESOLUTION REPEALING A JOINT RESOLUTION PROVIDING FOR A DECLARATION OF THE FEDERATION OF THE WORLD.

Representative Davis calls the previous question on the passage of the resolution and the call is sustained by electronic vote (77-27).

The resolution passes its third reading, by electronic vote (92-11), and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.J.R. 571,** A JOINT RESOLUTION DEMANDING THAT THE FEDERAL GOVERNMENT CEASE AND DESIST MANDATES THAT ARE BEYOND THE SCOPE OF ITS CONSTITUTIONALLY DELEGATED POWERS AND HONORING THE

MEMORY OF RICHARD DOBBS SPAIGHT, WILLIAM BLOUNT, AND HUGH WILLIAMSON.

Representative Decker calls the previous question on the passage of the resolution and the call is sustained by electronic vote (73-40).

The resolution passes its third reading, by electronic vote (91-20), and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 442, A BILL TO BE ENTITLED AN ACT TO BRING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM INTO COMPLIANCE WITH THE INTERNAL REVENUE CODE AND TO BRING THE SUPPLEMENTAL RETIREMENT INCOME PLANS FOR STATE AND LOCAL LAW ENFORCEMENT OFFICERS INTO COMPLIANCE WITH THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 268, A BILL TO BE ENTITLED AN ACT TO RECONFORM THE MILEAGE REIMBURSEMENT FOR OUT-OF-STATE WITNESSES TO THAT RECEIVED BY IN-STATE WITNESSES AND STATE EMPLOYEES, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 879,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S GUN LAWS BY PREEMPTING LOCAL REGULATION, which was temporarily displaced with pending Amendment No. 3, is before the Body.

Representative Michaux withdraws Amendment No. 3.

Representative Michaux offers new Amendment No. 3 which is adopted by electronic vote (106-0).

Representative G. Miller offers Amendment No. 4 which fails of adoption by electronic vote (47-60).

Representative Luebke offers Amendment No. 5 which fails of adoption by electronic vote (40-71).

Representative Creech calls the previous question on the passage of the bill and the call is sustained by electronic vote (94-19).

The bill, as amended, passes its third reading, by electronic vote (93-20), and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 428, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TRAINING OF TREASURERS OF REFERENDUM COMMITTEES.

Representative Arnold inquires of the Chair if it is appropriate to request a fiscal note on the bill. The Chair rules that a fiscal note is not required.

The bill passes its second reading, by electronic vote (96-11), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 552, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO LARGE URBAN CITIES WHERE THE OWNER OF SUBSTANDARD PROPERTY CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH THE UNIT BY SIMPLY CLOSING IT.

On motion of Representative Michaux, Committee Amendment No. 1 fails of adoption by electronic vote (16-86).

Representative Adams offers Amendment No. 2 which is adopted by electronic vote (103-4).

The bill, as amended, passes its second reading, by electronic vote (102-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 225,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP AN EDUCATIONAL PROGRAM FOR DIVORCING COUPLES WITH CHILDREN, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 164,** A BILL TO BE ENTITLED AN ACT TO ENHANCE CHILD SUPPORT COLLECTION THROUGH VOLUNTARY EMPLOYER REPORTING OF NEW HIRES, passes its third reading, by electronic vote (105-3), and is ordered sent to the Senate by Special Message.

On motion of the Chair, the House recesses at 12:31.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

Committee Substitute for **H.B. 821,** A BILL TO BE ENTITLED AN ACT TO INCLUDE ENCOURAGEMENT OF BREAST FEEDING IN SERVICES PROVIDED BY THE STATE MATERNAL AND CHILD HEALTH PROGRAM, passes its second reading, by electronic vote (71-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 220,** A BILL TO BE ENTITLED AN ACT REQUIRING JUST COMPENSATION FOR TAKING OF OUTDOOR ADVERTISING, which was temporarily displaced, is before the Body.

Representative Richardson offers Amendment No. 5 which fails of adoption by electronic vote (49-54).

Representative Pate offers Amendment No. 6 which fails of adoption by electronic vote (45-60).

Representative Ives offers Amendment No. 7 which fails of adoption by electronic vote (51-55).

Representative G. Wilson calls the previous question on the passage of the bill and the call is sustained by electronic vote (73-35).

The bill, as amended, passes its third reading, by electronic vote (73-35), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 316, A BILL TO BE ENTITLED AN ACT TO ALLOW ALAMANCE COUNTY RESIDENTS OF THE EXTRATERRITORIAL PLANNING JURISDICTION OF A CITY TO VOTE IN ELECTIONS OF THAT CITY, which was temporarily displaced, is before the Body.

Representative Allred calls the previous question on the passage of the bill and the call is sustained by electronic vote (70-28).

The bill fails to pass its second reading by electronic vote (43-59).

H.B. 934, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND RELATED LAWS, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 269,** A BILL TO BE ENTITLED AN

ACT TO AUTHORIZE DISTRICT COURT JUDGES TO SANCTION PARTIES TO EQUITABLE DISTRIBUTION PROCEEDINGS FOR PURPOSEFUL, PREJUDICIAL DELAY OF THE PROCEEDINGS, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 270,** A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAWS PERTAINING TO ALIMONY.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (106-0).

Representative Decker offers Amendment No. 2 which is adopted by electronic vote (98-8).

The bill, as amended, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Representative McCrary requests and is granted permission to be recorded as voting "aye" on the second reading of the bill. The adjusted vote total is (109-1).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 273,** A BILL TO BE ENTITLED AN ACT TO ALLOW CLAIMS FOR EQUITABLE DISTRIBUTION TO BE RESOLVED EITHER BEFORE OR AFTER AN ABSOLUTE DIVORCE IS GRANTED AND TO CLARIFY THE LAW CONCERNING THE INTEREST IN MARITAL PROPERTY OF A SUBSEQUENT SPOUSE PRIOR TO EQUITABLE DISTRIBUTION OF MARITAL PROPERTY OF FORMER MARRIAGE, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by

Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute for **H.B. 651,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO REGULATE NOISE IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS TERRITORIAL JURISDICTION, is returned for concurrence in Senate committee substitute and placed on the Calendar for May 15.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **S.B. 242,** A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA NONPROFIT CORPORATION ACT AND TO MAKE A CONFORMING AMENDMENT TO THE BUSINESS CORPORATION ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 359,** A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY OFFENSE TO IMPERSONATE A LAW ENFORCEMENT OFFICER BY UNLAWFULLY OPERATING A MOTOR VEHICLE WITH AN OPERATING BLUE OR RED LIGHT, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 402,** A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE DOMESTIC VIOLENCE LAW BY REQUIRING DOMESTIC VIOLENCE ORDER TO BE ACCESSIBLE BY COMPUTER, TO ALLOW THE JUDGE ISSUING THE ORDER TO REQUIRE SEIZURE OF FIREARMS AND PROHIBIT POSSESSION OF FIREARMS, AND MAKE IT A CLASS H FELONY FOR ANY PERSON SUBJECT TO A DOMESTIC VIOLENCE ORDER TO PURCHASE OR POSSESS ANY FIREARM, is read the first time and referred to the Committee on Judiciary I.

S.B. 487, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ASSISTANT ADJUTANT GENERAL FOR THE ARMY NATIONAL GUARD SHALL SERVE IN THE MILITARY POSITION OF BRIGADIER

GENERAL - LINE, DEPUTY, STATE AREA COMMAND (STARC) COMMANDER, is read the first time and referred to the Committee on State Government, Subcommittee on Military, Veterans and Indian Affairs.

S.B. 525, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE HEALTH DIRECTOR TO PREPARE A MEDICAL AND HEALTH BENEFITS PLAN, is read the first time and referred to the Committee on Health and Environment and, if favorable, to the Committee on Pensions and Retirement.

Committee Substitute for **S.B. 543,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SWORN AND CERTIFIED JAILERS AND TELECOMMUNICATORS EMPLOYED BY THE CATAWBA COUNTY SHERIFF'S DEPARTMENT ARE ELIGIBLE TO RECEIVE THE BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is read the first time and referred to the Committee on Pensions and Retirement.

Committee Substitute for **S.B. 550,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE SUPERIOR COURT DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM FOR CERTAIN SUPERIOR COURT JUDGES, is read the first time and referred to the Committee on Judiciary I.

S.B. 558, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EXPEDITED EVICTION OF PERSONS ENGAGED IN DRUG-RELATED CRIMINAL ACTIVITY AND OTHER CRIMINAL ACTIVITY THAT THREATENS THE HEALTH, SAFETY, OR PEACEFUL ENJOYMENT OF RENTAL PROPERTY, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 637,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE HENDERSONVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 694,** A BILL TO BE ENTITLED AN ACT

TO REPEAL THE GOLDSBORO FIREMEN'S SUPPLEMENTAL PENSION FUND, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 706, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CABARRUS COUNTY TO ESTABLISH AN AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) AND FOOD STAMP WORKFARE PILOT PROGRAM AND AN ADJUNCT DEMONSTRATION PROGRAM MODIFYING THE JOBS PROGRAM, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 717, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE MOORE COUNTY BOARD OF COMMISSIONERS TO REDISTRICT THEIR RESIDENCY DISTRICTS, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 783, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FORFEITURE OF PROPERTY OWNED BY PERSONS PARTICIPATING IN NUISANCES ON THE PROPERTY INVOLVING THE SALE OR USE OF NARCOTIC DRUGS, is read the first time and referred to the Committee on Judiciary II.

S.B. 818, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BIRTH DEFECTS MONITORING PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is read the first time and referred to the Committee on Health and Environment.

S.B. 886, A BILL TO BE ENTITLED AN ACT TO AMEND THE HOSPITAL COOPERATION ACT REGARDING COOPERATIVE AGREEMENTS, is read the first time and referred to the Committee on Finance.

S.B. 901, A BILL TO BE ENTITLED AN ACT TO PROVIDE PARITY BETWEEN THE PRESIDENT PRO TEMPORE AND THE SPEAKER BY HAVING CERTAIN APPOINTMENTS MADE BY OR UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE RATHER THAN THE PRESIDENT OF THE SENATE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 929, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA RULES OF CIVIL

PROCEDURE REGARDING SERVICE OF PROCESS AND DEPOSITIONS IN A FOREIGN COUNTRY AND THE DETERMINATION OF FOREIGN LAW TO BE APPLIED IN CERTAIN CIVIL ACTIONS, is read the first time and referred to the Committee on Judiciary I.

S.B. 990, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MORE EFFECTIVE ADMINISTRATIVE PERMIT REVIEW UNDER THE COASTAL AREA MANAGEMENT ACT, is read the first time and referred to the Committee on Health and Environment.

Committee Substitute for **S.B. 999,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE COST LIMIT ON WORK THAT CAN BE PERFORMED BY GOVERNMENTAL FORCE ACCOUNT LABOR, is read the first time and referred to the Committee on Business and Labor.

S.B. 1042, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS REGARDING GUARANTEED ENERGY SAVINGS CONTRACTS IN ORDER TO ENHANCE THE VIABILITY OF GUARANTEED ENERGY SAVINGS CONTRACTS BY LOCAL GOVERNMENTAL UNITS AND TO REPEAL THE SUNSET FOR LOCAL GOVERNMENTAL UNITS TO ENTER INTO THESE CONTRACTS, is read the first time and referred to the Committee on Business and Labor.

Committee Substitute for **S.B. 1080,** A BILL TO BE ENTITLED AN ACT TO PLACE CERTAIN RESTRICTIONS ON THE SITING OF SWINE HOUSES AND LAGOONS, is read the first time and referred to the Committee on Health and Environment.

S.B. 1084, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 2 OF CHAPTER 119 OF THE GENERAL STATUTES REGARDING THE REGULATION OF REREFINED OR REPROCESSED OIL, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 1086, A BILL TO BE ENTITLED AN ACT TO ALLOW BANKS TO MAKE LOANS SECURED BY SHARES OF ITS OWN STOCK OR THAT OF ITS PARENT HOLDING COMPANY UNDER CERTAIN CIRCUMSTANCES, is read the first time and referred to the Committee on Financial Institutions.

Representative Morgan moves, seconded by Representative Gardner, that the House adjourn subject to the reading of notices and announcements to

reconvene Monday, May 15, 1995, at 7:00 p.m.

The motion carries.

Without objection, the following agreement between the House and Senate is entered into the Journal.

May 10, 1995

AGREEMENT TO COVER BILLS AND RESOLUTIONS PASSED FOLLOWING ADJOURNMENT OF EITHER CHAMBER PRIOR TO THE OTHER ON MAY 11, CROSSOVER DEADLINE.

It is agreed that all bills and resolutions passed by the House of Representatives or the Senate on May 11, 1995, and ordered sent to the other chamber but not read as a message on the floor of either Body, shall be considered to have met the provisions of House Rule 31.1(d) and Senate Rule 41.

S/ Harold J. Brubaker
S/ Marc Basnight

The House stands adjourned at 2:30 p.m.

SIXTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, May 15, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, it was good to be home, rest up a bit, and do a little different kind of work, but to be honest, it's kinda good to be back here to enjoy the camaraderie and esprit de corps of this place. Father, yesterday was 'Mother's Day' and I hope that everybody had a chance to see their mother if life still lasts, or maybe place a bouquet of flowers at a sacred spot on some

green hillside, and share a personal prayer. Strange thing about mothers. I never could understand when we had four apples and there were eight kids that she suddenly didn't like apples but proceeded to carve them up so that each one of us had a half; and then when we had fried chicken she always claimed the neck, said it was the best piece. Then she made her underclothes from feed sacks, you could read the letters through her thin worn dress, so we kids could go to school. Then there were tears in her eyes if we did anything good that brought the teacher's praise. And, I'm sure that the mother of every Representative here was proud as punch when her son or daughter was elected to this place, probably hugged Your neck and cried, or she looked down from Heaven and in Your mind's eye You could see her wink and smile. Her son or daughter helping make the laws by which folks live. Make them good and fair and right, help lift folks up, and protect those who can't protect themselves. Do what's right cause when it's all over, that's all that's gonna last. We love you Mama, this is still a great country and we'll do our best. In Jesus' name. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 11 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (83-0).

Leaves of absence are granted Representatives Barnes, Hensley, R. Hunter, Lee, Redwine, Richardson, Robinson, and Wood for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 375, AN ACT TO REMOVE THE LIMITATION ON FUNDING FOR THE PER DIEM COSTS OF INMATES HOUSED OUT-OF-STATE. (CHAPTER 81)

H.B. 381, AN ACT TO GRANT THE TOWN OF APEX AND THE TOWN OF MOORESVILLE A TEMPORARY EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED. (CHAPTER 82)

H.B. 519, AN ACT TO ALLOW THE TRAPPING AND KILLING OF RED WOLVES BY OWNERS OF PRIVATE LAND IN BEAUFORT AND CRAVEN COUNTIES. (CHAPTER 83)

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Hunt and G. Miller:

H.B. 1061, A BILL TO BE ENTITLED AN ACT TO PROVIDE A CORPORATE INCOME TAX CREDIT FOR RETAINING THREATENED MANUFACTURING JOBS IN DISTRESSED COUNTIES, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Finance.

By Representatives Shaw and Wright (Co-Sponsors); and G. Miller:

H.B. 1062, A BILL TO BE ENTITLED AN ACT TO DESIGNATE ENTERPRISE TAX ZONES AND PROVIDE INCENTIVES FOR BUSINESS DEVELOPMENT IN THE ZONES, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Finance.

By Representative Ellis:

H.B. 1063, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR A FLAT INCOME TAX, is referred to the Committee on Finance.

By Representatives Luebke, Adams, Beall, Bowen, Braswell, Earle, Easterling, Fitch, Gamble, H. Hunter, Lee, Michaux, G. Miller, Oldham, Ramsey, Sutton, Wainwright, and Womble:

H.B. 1064, A BILL TO BE ENTITLED AN ACT TO RESTORE THE TAX BURDEN ON THE WEALTHY IN ORDER TO HELP EDUCATION AND REDUCE THE FOOD TAX, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Finance.

By Representative Luebke:

H.B. 1065, A BILL TO BE ENTITLED AN ACT TO REFORM

CORPORATE WELFARE AND OTHER TAX EXPENDITURES, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Finance.

By Representative Luebke:

H.B. 1066, A BILL TO BE ENTITLED AN ACT TO IMPOSE A DISPOSAL TAX ON CONTAINERS THAT FAIL TO RECYCLE SUFFICIENTLY AND TO DISTRIBUTE THE REVENUE FROM THE DISPOSAL TAX ON CONTAINERS TO THE SOLID WASTE MANAGEMENT TRUST FUND, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Finance.

By Representatives Locke, Brawley, McCrary, and Tolson:

H.B. 1067, A BILL TO BE ENTITLED AN ACT TO REQUIRE A RESIDENT LIENHOLDER TO PAY ONLY THE CURRENT YEAR'S PROPERTY TAXES AFTER OBTAINING A MOBILE HOME MOVING PERMIT, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Finance.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

S.B. 33, A BILL TO BE ENTITLED AN ACT TO GIVE THE DISTRICT COURT CONCURRENT JURISDICTION WITH THE SUPERIOR COURT TO ACCEPT A PLEA OF GUILTY OR NO CONTEST TO A CLASS F, G, H, OR I FELONY WITH THE CONSENT OF THE PRESIDING DISTRICT COURT JUDGE, THE STATE AND THE DEFENDANT, is read the first time and referred to the Committee on Judiciary II.

S.J.R. 213, A JOINT RESOLUTION HONORING THE MEMORIES OF NORTH CAROLINA'S DELEGATION TO THE FEDERAL CONVENTION OF 1787, WHO ABLY PARTICIPATED IN THE FRAMING OF THE CONSTITUTION, AND SUPPORTING NORTH CAROLINA'S PARTICIPATION IN A CONFERENCE OF THE STATES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 320, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS

THE NORTH CAROLINA UNIFORM CUSTODIAL TRUST ACT AND TO MAKE CONFORMING AMENDMENTS TO THE POWER OF ATTORNEY STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 345,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS, is read the first time and referred to the Committee on Insurance.

S.B. 404, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRITERIA FOR SELECTION AND SENTENCING TO IMPACT, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute No. 2 for **S.B. 426,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW, is read the first time and referred to the Committee on Judiciary I.

S.B. 491, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HIGHLANDS TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is read the first time and referred to the Committee on Finance.

S.B. 502, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LICENSING AND REGISTRATION OF ASSISTED LIVING FACILITIES AND TO REPLACE THE ARCHAIC TERM "DOMICILIARY" CARE WITH THE TERM "ADULT" CARE, is read the first time and referred to the Committee on Welfare Reform and Human Resources and, if favorable, to the Committee on Judiciary I.

Committee Substitute for **S.B. 513,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE APPLICABILITY OF THE ANTIDEFICIENCY JUDGMENT STATUTE, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 519,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PURCHASE OF COMMODITIES AND SERVICES OFFERED BY BLIND AND BY SEVERELY DISABLED PERSONS, is read the first time and referred to the Committee on Business and Labor.

S.B. 536, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT AIRY TO LEVY A ROOM OCCUPANCY AND

TOURISM DEVELOPMENT TAX, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 559,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACCEPTANCE OF RENT BY A HOUSING AUTHORITY IS NOT A WAIVER OF DEFAULT AND TO AUTHORIZE HOUSING AUTHORITIES TO GOVERN ENTRY UPON HOUSING AUTHORITY PROPERTY BY GUESTS AND VISITORS, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 585,** A BILL TO BE ENTITLED AN ACT TO EXPEDITE EXECUTION OR JUDGMENTS AGAINST THE PROPERTY OF THE JUDGMENT DEBTOR, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 627,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FAYETTEVILLE AREA CHAMBER OF COMMERCE SHALL ADMINISTER THE CUMBERLAND COUNTY OCCUPANCY TAX, is read the first time and referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 630,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR BILLING FEES FOR STRUCTURAL AND NATURAL STORMWATER AND DRAINAGE SYSTEMS IN CUMBERLAND COUNTY, is read the first time and referred to the Committee on Health and Environment and, if favorable, to the Committee on Finance.

S.B. 707, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE SHARE OF AFTER-BORN OR AFTER-ADOPTED CHILDREN, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary I.

S.B. 724, A BILL TO BE ENTITLED AN ACT TO DESCRIBE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary II.

S.B. 742, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES TO

INVESTIGATE THE DEATHS OF CERTAIN THOMAS S. CLASS MEMBERS, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

Committee Substitute for **S.B. 775,** A BILL TO BE ENTITLED AN ACT TO DEFINE CLIENTS ELIGIBLE FOR "WILLIE M." SERVICES, TO AUTHORIZE THE ADOPTION OF RULES TO DETERMINE ELIGIBILITY, TO ENSURE THE PROVISION OF SERVICES, AND TO PROVIDE FOR CONTESTED CASE HEARING PROVISIONS, is read the first time and referred to the Committee on Welfare Reform and Human Resources and, if favorable, to the Committee on Judiciary II.

Committee Substitute for **S.B. 798,** A BILL TO BE ENTITLED AN ACT AUTHORIZING SANITARY DISTRICTS TO PROVIDE STREETS AND LAW ENFORCEMENT SERVICES AND ALLOWING SMALL SANITARY DISTRICTS TO COMPENSATE BOARD MEMBERS IN THE SAME MANNER AS LARGE SANITARY DISTRICTS, is read the first time and referred to the Committee on Health and Environment and, if favorable, to the Committee on Finance.

S.B. 814, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN DISPOSITIVE MOTIONS TO BE ACCOMPANIED BY A MEMORANDUM, is read the first time and referred to the Committee on Judiciary I.

S.B. 821, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF PRENEED FUNERAL FUNDS, is read the first time and referred to the Committee on Insurance.

S.B. 832, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE COURT OF APPEALS TO HEAR APPEALS IN CRIMINAL CASES IN WHICH LIFE SENTENCES ARE IMPOSED, is read the first time and referred to the Committee on Judiciary II.

S.B. 844, A BILL TO BE ENTITLED AN ACT TO ALLOW OPTIONAL CALENDARING OF ARRAIGNMENT IN SUPERIOR COURT, is read the first time and referred to the Committee on Judiciary I.

S.B. 880, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL INSURANCE COVERAGE FOR BEACH PROPERTY, is read the first time and referred to the Committee on Insurance.

S.B. 896, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE INVESTIGATIVE CAPABILITIES OF LAW ENFORCEMENT IN CASES OF DRUG TRAFFICKING AND OTHER SERIOUS CRIMES BY PERMITTING THE USE OF ELECTRONIC SURVEILLANCE IN LIMITED CIRCUMSTANCES, is read the first time and referred to the Committee on Judiciary II.

S.B. 939, A BILL TO BE ENTITLED AN ACT TO AMEND THE OCCUPATIONAL DISEASE, ILLNESS, AND INJURY REPORTING LAW, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

Committee Substitute for **S.B. 940,** A BILL TO BE ENTITLED AN ACT TO ENACT THE CHARTER SCHOOLS ACT OF 1995, is read the first time and referred to the Committee on Education and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

S.B. 961, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR NONPARTISAN ELECTION OF TRIAL JUDGES IN THEIR DISTRICTS, AND TO PROVIDE FOR NONPARTISAN ELECTION OF APPELLATE JUDGES, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 966,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE COSMETOLOGY EXAMINATION AND LICENSURE FEES, TO ALLOW THE BOARD TO ADMINISTER EXAMINATIONS FOR LICENSURE OF TEACHERS, AND TO CHARGE A FEE FOR THE EXAMINATION OF TEACHERS, is read the first time and referred to the Committee on State Government and, if favorable, to the Committee on Finance.

S.B. 974, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURE WASTE TO BE CERTIFIED AS A WATER POLLUTION CONTROL SYSTEMS OPERATOR, is read the first time and referred to the Committee on Agriculture.

S.B. 987, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSE OF CONTINUING CRIMINAL ENTERPRISE WITH REGARD TO CRIMINAL OFFENSES THAT ARE NOT DRUG OFFENSES, TO CREATE THE FELONY STATUS OFFENSE OF HABITUAL THIEF, AND TO PROVIDE THAT FAILURE OF AN ITINERANT MERCHANT TO KEEP A RECEIPT OR INVOICE WITH

CERTAIN INFORMATION INDICATING THE SOURCE OF THE MERCHANT'S PRODUCTS AND TO SHOW THE RECEIPT OR INVOICE TO A LAW ENFORCEMENT OFFICER UPON REQUEST IS PRIMA FACIE EVIDENCE THAT THE PRODUCTS ARE STOLEN, is read the first time and referred to the Committee on Judiciary II.

S.B. 988, A BILL TO BE ENTITLED AN ACT TO PROVIDE RELIEF FROM THE WEIGHT LIMITATIONS FOR RECOVERED MATERIALS HAULERS, is read the first time and referred to the Committee on Transportation.

S.B. 1003, A BILL TO BE ENTITLED AN ACT TO EXEMPT INDIVIDUAL RETIREMENT ACCOUNTS, INDIVIDUAL RETIREMENT ANNUITIES, AND SIMPLIFIED EMPLOYEES PENSION/INDIVIDUAL RETIREMENT ACCOUNTS FROM THE CLAIMS OF CREDITORS, is read the first time and referred to the Committee on Judiciary I.

S.B. 1015, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEFINITION OF "DEVELOPER" FOR PURPOSES OF THE TIME SHARE ACT, is read the first time and referred to the Committee on Business and Labor.

S.B. 1054, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT CERTAIN ADVANCE RENTAL PAYMENTS BE DEPOSITED IN TRUST ACCOUNTS AND THAT THE LANDLORD DELIVER PERIODIC ACCOUNTINGS TO THE TENANT, is read the first time and referred to the Committee on Business and Labor and, if favorable, to the Committee on Judiciary I.

Committee Substitute for **S.B. 1063,** A BILL TO BE ENTITLED AN ACT TO AMEND THE MENTAL HEALTH COMMITMENT LAW TO PROVIDE FOR VOLUNTARY COMMITMENT OF MOTHERS WHO ARE SUBSTANCE ABUSERS AND THEIR CHILDREN UNDER THE AGE OF THREE, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 651,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF KILL DEVIL HILLS, KITTY

HAWK, NAGS HEAD, AND SOUTHERN SHORES TO REGULATE NOISE IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWNS WITHIN THEIR BOUNDARIES OR WITHIN THEIR EXTRATERRITORIAL JURISDICTION.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (99-0), and the bill is ordered enrolled.

H.B. 643, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE BOUNDARIES OF THE HEARTSEASE FIRE TAX DISTRICT AND THE HARRISON FIRE TAX DISTRICT IN EDGECOMBE COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Barnes, R. Hunter, Lee, Redwine, Richardson, Robinson, and Wood - 7.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Holmes, the following bills are withdrawn from the Calendar and re-referred to the Committee on Appropriations.

Committee Substitute No. 2 for **H.B. 490,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNUAL REPORTS OF BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE

FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, TO ESTABLISH FEES FOR EXPEDITED FILINGS, TO PROVIDE THAT NONPROFIT RELIGIOUS CORPORATIONS ARE NOT REQUIRED TO FILE ANNUAL REPORTS, AND TO ALLOW THE SECRETARY OF STATE TO RETAIN FILED DOCUMENTS IN REPRODUCED FORM; and

Committee Substitute for **H.B. 365,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENTS THAT A CORPORATION AND A NONPROFIT CORPORATION FILE AN ANNUAL REPORT WITH AND PAY AN ANNUAL REPORT FILING FEE TO THE OFFICE OF THE SECRETARY OF STATE.

Representative Allred inquires of the Chair why Committee Substitute for **H.B. 365** needs to be re-referred to the Committee on Appropriations. The Chair rules that because the elimination of the fee would reallocate funds, the Rules state that the bill must go to the Appropriations Committee.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 993, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, passes its second reading by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 99.

Voting in the negative: None.

Excused absences: Representatives Barnes, R. Hunter, Lee, Redwine, Richardson, Robinson, and Wood - 7.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 994,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY CHANGING VARIOUS REVENUE STATUTES.

Representative Lemmond offers Amendment No. 1 which is adopted by electronic vote (99-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 98.

Voting in the negative: None.

Excused absences: Representatives Barnes, R. Hunter, Lee, Redwine, Richardson, Robinson, and Wood - 7.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 142,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES RELATING TO THE REPEAL OF THE INTANGIBLES TAX AND TO OTHER TAX LAWS, passes its

second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives Barnes, R. Hunter, Lee, Redwine, Richardson, Robinson, and Wood - 7.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 770,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF COUNTY SERVICE DISTRICTS FOR LAW ENFORCEMENT SERVICES AND TO CHANGE THE REQUIREMENTS FOR CREATION OF DISTRICTS COVERING THE ENTIRE UNINCORPORATED AREA OF A COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Rogers, Russell,

Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives Barnes, R. Hunter, Lee, Redwine, Richardson, Robinson, and Wood - 7.

Committee Substitute for **H.B. 458,** A BILL TO BE ENTITLED AN ACT TO IMPOSE CONDITIONS FOR THE RESTORATION OR CONTINUED ENJOYMENT OF A DRIVING PRIVILEGE AFTER A CONVICTION FOR DRIVING WHILE IMPAIRED OR DRIVING WHILE A PROVISIONAL LICENSEE AFTER CONSUMING DRUGS OR ALCOHOL, AND TO PROMOTE COMPLIANCE WITH THESE CONDITIONS.

On motion of Representative Hurley and without objection, consideration of the bill is postponed until May 17.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Nichols for the Committee on Health and Environment:

H.B. 288, A BILL TO BE ENTITLED AN ACT TO ENACT HEALTH CARE REFORM INITIATIVES IN THE AREAS OF PRIMARY CARE, HEALTH CARE FACILITIES, DATA COLLECTION, QUALITY IMPROVEMENT, LOCAL HEALTH PROGRAMS, AND OTHERS, AS RECOMMENDED BY THE NORTH CAROLINA HEALTH PLANNING COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF PAGES

Pages for the week of May 15-19 are introduced to the membership. They are: Tiffany Ashley of Harnett; Cameron Barbour of Johnston; Brendan

Blackburn of Guilford; Paige Boone of Johnston; Amber Boone of Johnston; James Boush of Wake; John Branch of Johnston; Christopher Branch of Wake; Courtney Brewer of Johnston; Dan Currie of New Hanover; Geoffrey Fennel of Cabarrus; Caroline Fletcher of Wake; Courtney Gillis of Harnett; Will Godfrey of Wake; Julie Grady of Johnston; Elizabeth Hester of Davidson; Chris Johnson of Wake; Zack King of Cabarrus; Reed Lawrence, III of Johnston; Kristen McLarry of Wake; January Murdock of Mitchell; Jenny Port of Johnston; Sarah Short of Orange; Sarah Wall of Chatham; Laurie Wall of Cabarrus; Larry Ward of Wake; and Mary Ward Younger of Wake.

On motion of Representative Morgan, seconded by Representative Sharpe, the House adjourns, by electronic vote (89-9), at 7:30 p.m. to reconvene May 16 at 1:30 p.m.

SIXTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 16, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Father, thank You for the gift of life again today, and for this second half of our Legislative Session. May we all allow You to guide and to use us in all that is ahead. I spoke to a man polishing the brass banister overlooking the south west court. 'Thank you for doing such a good job keeping the place clean for us. Do you polish the brass often?' 'About every day. Where there is a lot of folks around, it gets tarnished quick.' We all deal with a lot of folks in this law making process, Father, and we probably get tarnished too, more than we know, but Your Word is a good cleanser. 'If we confess our sins, You are faithful and just to forgive us our sins and to cleanse us from all unrighteousness.' And so, tonight after we had had our shower and are all alone, help each one of us to spend a little time polishing our brass. In Your name we pray. Amen"

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 15 has been examined and

found correct. Upon his motion, the Journal is approved as written by electronic vote (84-0).

Leaves of absence are granted Representatives Dickson and G. Robinson for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

THE APPOINTMENT OF JONATHAN ROBINSON 1995 BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

WHEREAS, the Honorable Macon S. Snowden, elected Representative from the Fourth District, 1995 General Assembly, has died in office; and

WHEREAS, the provisions of General Statutes 163-11 require that the vacancy created by the death of the Honorable Macon S. Snowden be filled by appointment of the person recommended by the Fourth District State House of Representatives Executive Committee of the Republican Party; and

WHEREAS, the Fourth District State House of Representatives Executive Committee of the Republican Party has notified me of its recommendation of Jonathan Robinson of Carteret County, North Carolina, to fill said vacancy,

I do by these presents appoint
Jonathan Robinson
as a member of the
HOUSE OF REPRESENTATIVES
1995 General Assembly

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State at the Capitol in the City of Raleigh, this 15th day of May in the year of our Lord, One Thousand Nine Hundred Ninety-Five.

S/ James B. Hunt, Jr.
Governor

S/ Rufus L. Edmisten
Secretary of State

The Speaker appoints Representatives Preston, Clary, Grady, and Daughtry as an escort committee for Jonathan Robinson. At the Well of the House, Representative Preston introduces Mr. Robinson to the Body.

The Speaker extends the courtesies of the floor to the following members of Mr. Robinson's family:

Mrs. Janie Robinson, wife

Miss Stacie Robinson, daughter

Master Mathew Robinson, son.

The Speaker administers the following oath of office pursuant to G. S. 120-5.

OATH FOR MEMBER OF THE 1995 HOUSE OF REPRESENTATIVES

"I, JONATHAN ROBINSON, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely swear (or affirm) that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and Laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do swear (or affirm) that I will faithfully discharge the duties of the office of a Member of the 1995 House of Representatives according to the best of my skill and ability, according to law; so help me God."

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 651, AN ACT TO ALLOW THE TOWNS OF KILL DEVIL HILLS, KITTY HAWK, NAGS HEAD, AND SOUTHERN SHORES TO REGULATE NOISE IN THE ATLANTIC OCEAN AND OTHER

WATERWAYS ADJACENT TO THAT PORTION OF THE TOWNS WITHIN THEIR BOUNDARIES OR WITHIN THEIR EXTRATERRITORIAL JURISDICTION. (CHAPTER 84)

COMMITTEE ASSIGNMENTS

The Speaker appoints Representative J. Robinson to the following committees: Appropriations, Subcommittee on General Government; Health and Environment; State Government, Subcommittee on State Parks, Facilities and Property; and Transportation, Subcommittee on Airports, Railways, and Waterways.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee are presented:

By Representative Daughtry for the Committee on Judiciary I:

H.B. 737, A BILL TO BE ENTITLED AN ACT TO DIVIDE DISTRICT COURT DISTRICT 30 AND PROSECUTORIAL DISTRICT 30 INTO DISTRICTS 30A AND 30B, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

S.B. 108, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ADOPTIONS SHALL BE IN THE DISTRICT COURT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 17.

Committee Substitute for **S.B. 245,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OPENING OF EMPTY LOCK BOXES OF DECEDENTS OUTSIDE THE PRESENCE OF THE CLERK OF SUPERIOR COURT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 17.

CALENDAR

Action is taken on the following:

H.B. 993, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representative Lee.

Excused absences: Representatives Dickson and G. Robinson - 2.

Committee Substitute for **H.B. 994,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY CHANGING VARIOUS REVENUE STATUTES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gamble, Gardner, Grady, Gray,

Hackney, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: Representative Wood.

Excused absences: Representatives Dickson and G. Robinson - 2.

Committee Substitute for **H.B. 142,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES RELATING TO THE REPEAL OF THE INTANGIBLES TAX AND TO OTHER TAX LAWS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Dickson and G. Robinson - 2.

Committee Substitute No. 2 for **H.B. 770,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF COUNTY SERVICE DISTRICTS FOR LAW ENFORCEMENT SERVICES AND TO CHANGE THE REQUIREMENTS FOR CREATION OF DISTRICTS COVERING THE

ENTIRE UNINCORPORATED AREA OF A COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representative McLaughlin.

Excused absences: Representatives Dickson and G. Robinson - 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 236,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE INSURANCE REGULATORY CHARGE, TO INCREASE THE GROSS PREMIUMS TAX TO PARTIALLY OFFSET THE REPEAL OF THE REGULATORY CHARGE, AND TO PROVIDE FOR THE DISPOSITION OF FEES COLLECTED BY THE DEPARTMENT OF INSURANCE.

Representative R. Hunter moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Finance.

On motion of Representative Lemmond, seconded by Representative Brawley, the motion to re-refer is tabled by electronic vote (54-52).

Representative Lemmond calls the previous question on the passage of the bill and the call is sustained by electronic vote (80-32).

The bill passes its second reading, by the following vote, and remains on

the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Black, Brawley, J. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dockham, Eddins, Esposito, Gardner, Grady, Gray, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, McComas, McCombs, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Pate, Preston, Pulley, Rayfield, Reynolds, J. Robinson, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Watson, Weatherly, G. Wilson, and Yongue - 62.

Voting in the negative: Representatives Adams, Alexander, Barnes, Beall, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, W. Brown, Buchanan, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fox, Gamble, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Lee, Luebke, McAllister, McCrary, McLaughlin, Michaux, G. Miller, Oldham, Owens, Ramsey, Redwine, Rogers, Russell, Shaw, Sutton, Tolson, Warner, Wilkins, C. Wilson, Womble, Wood, and Wright - 50.

Excused absences: Representatives Dickson and G. Robinson - 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 56,** A BILL TO BE ENTITLED AN ACT TO REPEAL ANTIQUATED, OBSOLETE, OR UNCONSTITUTIONAL LAWS, passes its second reading by electronic vote (97-13).

Representative Daughtry objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 118, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT UNPAID VOLUNTEER MEDICAL DIRECTORS FOR EMERGENCY MEDICAL SERVICES (EMS) AGENCIES ARE COVERED BY THE GOOD SAMARITAN STATUTE, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 413,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONVERSION OF SAVINGS ASSOCIATIONS AND SAVINGS BANKS INTO COMMERCIAL BANKS, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 295,** A BILL TO BE ENTITLED AN ACT TO ENACT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO CLARIFY THE AUTHORITY OF THE BUILDING CODE COUNCIL TO ADOPT PROVISIONS REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF SMOKE DETECTORS, passes its second reading by electronic vote (107-2).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

H.B. 558, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF CATAWBA TO ANNEX AREAS LYING WITHIN THE CORPORATE BOUNDARIES OF THAT TOWN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 17.

H.B. 574, A BILL TO BE ENTITLED AN ACT TO INCORPORATE

THE TOWN OF LAND HARBOR, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 17. The original bill is placed on the Unfavorable Calendar.

By Representative Shubert for the Permanent Subcommittee on Families:

H.B. 293, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR ADDITIONAL FOSTER CARE LICENSING AND PLACEMENT WORKERS, reported to the Standing Committee on Welfare Reform and Human Resources with a favorable recommendation and with recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 294, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR MULTIDISCIPLINARY TRAINING FOR CHILD SEXUAL ABUSE INVESTIGATION, reported to the Standing Committee on Welfare Reform and Human Resources with a favorable recommendation and with recommendation that the bill be re-referred to the Committee on Appropriations.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 745,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA STUDY COMMISSION ON AGING TO STUDY THE ADMINISTRATIVE PENALTIES FOR DOMICILIARY FACILITIES AND NURSING HOME FACILITIES, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRAL

On motion of Representative Morgan and without objection, **S.B. 1041,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MINIMUM STREAMFLOW IN THE LENGTH OF THE STREAM AFFECTED BY CERTAIN DAMS OPERATED BY SMALL HYDROELECTRIC POWER PRODUCERS AND TO PROVIDE THAT THE MINIMUM STREAMFLOWS THUS SPECIFIED ARE THE POLICY OF THE STATE FOR SUCH DAMS, WHETHER OR NOT A PARTICULAR DAM IS

SUBJECT TO THE DAM SAFETY LAW OF 1967, is withdrawn from the Committee on Public Utilities and re-referred to the Committee on Health and Environment.

On motion of Representative Morgan, seconded by Representative J. Robinson, the House adjourns at 3:06 p.m. to reconvene May 17 at 1:30 p.m.

SIXTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 17, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Aldridge.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 16 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (80-0).

Leaves of absence are granted Representatives Cansler, Fitch, and Lee for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 118, AN ACT TO CLARIFY THAT UNPAID VOLUNTEER MEDICAL DIRECTORS FOR EMERGENCY MEDICAL SERVICES (EMS) AGENCIES ARE COVERED BY THE GOOD SAMARITAN STATUTE. (CHAPTER 85)

H.B. 204, AN ACT TO ENSURE REPRESENTATION OF BOTH FOR-PROFIT AND NONPROFIT INSTITUTIONS ON THE STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS. (CHAPTER 86)

H.B. 627, AN ACT RELATING TO THE EMPLOYMENT PREFERENCE GIVEN BY CATAWBA COUNTY TO VETERANS WHO APPLY FOR COUNTY EMPLOYMENT. (CHAPTER 87)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative McCombs for the Committee on Pensions and Retirement:

H.B. 786, A BILL TO BE ENTITLED AN ACT TO DEFINE A PROFESSIONAL FIREFIGHTER'S EMPLOYEE RETIREMENT CLASSIFICATION AND BENEFIT ACCRUAL RATE FOR MEMBERS AND BENEFICIARIES OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 531, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN SECURITIES FROM THE STATE REGISTRATION REQUIREMENTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 871, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT AND ASSIGNMENT OF EMERGENCY RECALL JUDGES OF THE COURT OF APPEALS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

S.B. 178, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR THE ALLEGHANY SCHOOL ADMINISTRATIVE UNIT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 18.

S.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF DALLAS TO ENACT A PROPERTY MAINTENANCE ORDINANCE AND TO ASSESS CERTAIN COSTS OF ENFORCEMENT AS A LIEN AGAINST THE PROPERTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 18.

S.B. 288, A BILL TO BE ENTITLED AN ACT TO ALLOW ALLEGHANY COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 289, A BILL TO BE ENTITLED AN ACT RELATING TO THE TERMS OF OFFICE OF THE COUNTY COMMISSIONERS OF ASHE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 18.

S.B. 377, A BILL TO BE ENTITLED AN ACT INCLUDING WITHIN THE DEFINITION OF AN ABANDONED VEHICLE THOSE LEFT ON CERTAIN HIGHWAYS WITHIN THE CITY OF WINSTON-SALEM FOR MORE THAN FORTY-EIGHT HOURS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 18.

S.B. 471, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE BUNCOMBE COUNTY BOARD OF EDUCATION SHALL BE

ELECTED ON A NONPARTISAN PLURALITY BASIS ON THE DATE OF THE GENERAL ELECTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 18.

By Representative Tallent for the Committee on Financial Institutions:

H.B. 171, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE INCOME TAX ON BANKS TO FEDERAL INCOME TAX ON BANKS, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

H.B. 839, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE REGULATORY AUTHORITY OVER BANKS, CREDIT UNIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS INTO A NEW FINANCIAL INSTITUTIONS REGULATORY BOARD, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative G. Robinson for the Committee on Business and Labor:

S.B. 1017, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NORTH CAROLINA TO THE NORTH CAROLINA MEDICAL BOARD AND TO MAKE CONFORMING CHANGES THROUGHOUT THE GENERAL STATUTES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 18.

By Representative Cummings for the Permanent Subcommittee on Preschool, Elementary and Secondary Education:

H.B. 190, A BILL TO BE ENTITLED AN ACT TO ALLOW A REFUNDABLE INCOME TAX CREDIT TO PARENTS WHO EDUCATE

THEIR CHILDREN OTHER THAN IN THE PUBLIC SCHOOLS, reported to the Standing Committee on Education with no action taken.

SUBCOMMITTEE REFERRALS

Representatives Holmes, Creech, and Esposito, Co-Chairs for the Standing Committee on Appropriations, refer the following bills to the Permanent Subcommittee on Education.

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A CIVIC CENTER TO BE LOCATED AT THE JAMES SPRUNT COMMUNITY COLLEGE IN DUPLIN COUNTY; and

H.B. 1040, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO STATE AID TO LOCAL SCHOOL ADMINISTRATIVE UNITS FOR SCHOOL NURSES.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 543,** A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE DARE COUNTY GEOGRAPHICAL INFORMATION SYSTEM, is returned for concurrence in Senate committee substitute and placed on the Calendar for May 18.

Upon concurrence, the Senate committee substitute changes the title.

H.B. 632, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY, is returned for concurrence in Senate amendment and placed on the Calendar for May 18.

Committee Substitute for **H.B. 750,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF STATE TRUCKS AND VANS FOR THE STATE GAMES OF NORTH CAROLINA, is returned for concurrence in Senate amendment and placed on the Calendar for May 18.

CALENDAR

Action is taken on the following:

H.B. 558, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF CATAWBA TO ANNEX AREAS LYING WITHIN THE CORPORATE BOUNDARIES OF THAT TOWN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Braswell, Brawley, J. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower. Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, G. Wilson, Womble, Wood, Wright, and Yongue - 99.

Voting in the negative: Representative Baker.

Excused absences: Representatives Cansler, Fitch, and Lee - 3.

Committee Substitute for **H.B. 574,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF LAND HARBOR, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, C. Wilson,

G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in negative: None.

Excused absences: Representatives Cansler, Fitch, and Lee - 3.

Committee Substitute No. 2 for **H.B. 236,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE INSURANCE REGULATORY CHARGE, TO INCREASE THE GROSS PREMIUMS TAX TO PARTIALLY OFFSET THE REPEAL OF THE REGULATORY CHARGE, AND TO PROVIDE FOR THE DISPOSITION OF FEES COLLECTED BY THE DEPARTMENT OF INSURANCE.

On motion of Representative Lemmond and without objection, the bill is temporarily displaced.

Committee Substitute for **H.B. 458,** A BILL TO BE ENTITLED AN ACT TO IMPOSE CONDITIONS FOR THE RESTORATION OR CONTINUED ENJOYMENT OF A DRIVING PRIVILEGE AFTER A CONVICTION FOR DRIVING WHILE IMPAIRED OR DRIVING WHILE A PROVISIONAL LICENSEE AFTER CONSUMING DRUGS OR ALCOHOL, AND TO PROMOTE COMPLIANCE WITH THESE CONDITIONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Capps, Carpenter, Church, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Clary and Linney - 2.

Excused absences: Representatives Cansler, Fitch, and Lee - 3.

House Committee Substitute for **S.B. 56,** A BILL TO BE ENTITLED AN ACT TO REPEAL ANTIQUATED, OBSOLETE, OR UNCONSTITUTIONAL LAWS.

Representative Culpepper offers Amendment No. 1 which is adopted by electronic vote (107-1).

Representative Justus offers Amendment No. 2 which is adopted by electronic vote (110-0).

Representative Russell offers Amendment No. 3 which is adopted by electronic vote (108-4).

The bill, as amended, passes its third reading, by electronic vote (110-1), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 295,** A BILL TO BE ENTITLED AN ACT TO ENACT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO CLARIFY THE AUTHORITY OF THE BUILDING CODE COUNCIL TO ADOPT PROVISIONS REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF SMOKE DETECTORS.

Representative Luebke offers Amendment No. 1 which is adopted by electronic vote (106-6).

Representative Blue offers Amendment No. 2.

On motion of the Chair, the bill with pending Amendment No. 2 is temporarily displaced.

S.B. 108, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ADOPTIONS SHALL BE IN THE DISTRICT COURT, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 245,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OPENING OF EMPTY LOCK BOXES OF DECEDENTS OUTSIDE THE PRESENCE OF THE CLERK OF SUPERIOR COURT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute No. 2 for **H.B. 236,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE INSURANCE REGULATORY CHARGE, TO INCREASE THE GROSS PREMIUMS TAX TO PARTIALLY OFFSET THE REPEAL OF THE REGULATORY CHARGE, AND TO PROVIDE FOR THE DISPOSITION OF FEES COLLECTED BY THE DEPARTMENT OF INSURANCE, which was temporarily displaced, is before the Body.

Representative Baker offers Amendment No. 1.

On motion of the Chair, the bill with pending Amendment No. 1 is temporarily displaced.

House Committee Substitute for **S.B. 295,** A BILL TO BE ENTITLED AN ACT TO ENACT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO CLARIFY THE AUTHORITY OF THE BUILDING CODE COUNCIL TO ADOPT PROVISIONS REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF SMOKE DETECTORS, which was temporarily displaced with Amendment No. 2 pending, is before the Body.

Amendment No. 2 is adopted by electronic vote (107-2).

The bill, as amended, passes its third reading, by electronic vote (109-3), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Committee Substitute No. 2 for **H.B. 236,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE INSURANCE REGULATORY CHARGE, TO INCREASE THE GROSS PREMIUMS TAX TO PARTIALLY OFFSET THE REPEAL OF THE REGULATORY CHARGE, AND TO PROVIDE FOR THE DISPOSITION OF FEES COLLECTED BY THE DEPARTMENT OF

INSURANCE, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Representative Barnes inquires of the Chair if the amendment is germane to the title. The Chair rules that the amendment is out of order and it is returned to its sponsor.

On motion of Representative Lemmond and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Insurance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Nichols for the Committee on Health and Environment:

Committee Substitute for **S.B. 399,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF PODIATRY, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Miner for the Committee on Transportation:

H.B. 852, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MINIMUM HIGHWAY USE TAX, reported without prejudice, and with recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Decker and without objection, **S.B. 288,** A BILL TO BE ENTITLED AN ACT TO ALLOW ALLEGHANY COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is withdrawn from the Calendar and re-referred to the Committee on Finance.

On motion of Representative Crawford, seconded by Representative Arnold, the House adjourns at 2:49 p.m. to reconvene May 18 at 1:00 p.m.

SIXTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 18, 1995

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, there's something that I would like to share today. A few days ago, I had an experience that reminded me of something I've been neglecting. A little boy, one of a school group, stopped me as I walked up the sidewalk. 'Mister, are you the Governor?' 'No, son.' 'Are you a Senator or Representative?' 'No, son, I'm not even a page.' 'Well, what do you do?' 'Well, I pray for the fine men and women who are Representatives.' 'Are they smart?' 'Yes, very smart.' 'Are you smart?' 'Well, not as smart as they are.' 'What do you pray about?' 'Well, I ask the Lord to bless them and their families, and to help them to make good laws that are fair and just and right.' 'What kind of law?' 'Well, law that gives you a good school, affects what you buy and eat, and what mother and daddy do and have.' 'Gee! Well, do you pray for the governor? Well? Well you ought to, the Bible says so. Teacher's calling, gotta go.' Ouch! It takes the honesty and directness of a child, sometime, Father. I really haven't prayed for the Governor by name, just the government in general, so Father here goes. Bless Governor Jim and his family and, like us, give them a safe and restful weekend together. And thank you, Father, for these kids. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 17 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (79-0).

Leaves of absence are granted Representatives Dickson, Dockham, Fitch, Gamble, G. Miller, Reynolds, Russell, and Wright for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 108, AN ACT TO PROVIDE THAT ADOPTIONS SHALL BE IN THE DISTRICT COURT. (CHAPTER 88)

S.B. 245, AN ACT TO AUTHORIZE THE OPENING OF EMPTY LOCK BOXES OF DECEDENTS OUTSIDE THE PRESENCE OF THE CLERK OF SUPERIOR COURT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 89)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

S.B. 258, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RECORD-KEEPING RESPONSIBILITIES OF CLERKS OF SUPERIOR COURT IN IV-D CHILD SUPPORT CASES, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 682, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF STANDBY GUARDIANS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

Committee Substitute for **S.B. 771,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF INDEPENDENT CONTRACTORS OF PUBLIC HOSPITALS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 22.

S.B. 862, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXCEPTION TO THE LAW VOIDING FORUM SELECTION PROVISIONS IN CONTRACTS BY VALIDATING ACTIONS COMMENCED PURSUANT TO SUCH PROVISIONS WITH THE

CONSENT OF ALL PARTIES TO THE CONTRACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 22.

By Representative Culp for the Committee on Public Employees:

S.B. 405, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE PERSONNEL ACT RELATING TO THE DEFINITION OF CAREER STATE EMPLOYEE, THE GROUNDS FOR STATE EMPLOYEE APPEALS, THE INVESTIGATORY DUTIES OF THE OFFICE OF STATE PERSONNEL, AND THE PRIORITY CONSIDERATION OF STATE EMPLOYEES IN FILLING VACANCIES; TO PROVIDE FOR THE ADOPTION OF AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE BY THE STATE PERSONNEL COMMISSION; AND TO ALLOW ALTERNATIVE OBSERVANCE OF THE NEW YEAR'S HOLIDAY, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Miner for the Committee on Transportation:

H.B. 952, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA BRIDGE AUTHORITY, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Pate, Committee Amendment No. 1 is adopted by electronic vote (93-0).

The bill is ordered engrossed and re-referred to the Committee on Finance.

By Representatives Holmes, Esposito, and Creech for the Committee on Appropriations:

H.B. 390, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENTS PROJECT AT APPALACHIAN STATE UNIVERSITY,

with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRALS

Representative G. Robinson, Chair for the Standing Committee on Business and Labor refers:

H.B. 1064, A BILL TO BE ENTITLED AN ACT TO RESTORE THE TAX BURDEN ON THE WEALTHY IN ORDER TO HELP EDUCATION AND REDUCE THE FOOD TAX, to the Permanent Subcommittee on Economic Expansion and Growth.

H.B. 1067, A BILL TO BE ENTITLED AN ACT TO REQUIRE A RESIDENT LIENHOLDER TO PAY ONLY THE CURRENT YEAR'S PROPERTY TAXES AFTER OBTAINING A MOBILE HOME MOVING PERMIT, to the Permanent Subcommittee on Economic Expansion and Growth.

S.B. 62, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BILL OF RIGHTS FOR OWNERS OF MANUFACTURED HOMES, to the Permanent Subcommittee on Economic Expansion and Growth.

H.B. 1065, A BILL TO BE ENTITLED AN ACT TO REFORM CORPORATE WELFARE AND OTHER TAX EXPENDITURES, to the Permanent Subcommittee on Travel and Tourism.

H.B. 1066, A BILL TO BE ENTITLED AN ACT TO IMPOSE A DISPOSAL TAX ON CONTAINERS THAT FAIL TO RECYCLE SUFFICIENTLY AND TO DISTRIBUTE THE REVENUE FROM THE DISPOSAL TAX ON CONTAINERS TO THE SOLID WASTE MANAGEMENT TRUST FUND, to the Permanent Subcommittee on Travel and Tourism.

S.B. 519, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PURCHASE OF COMMODITIES AND SERVICES OFFERED BY BLIND AND BY SEVERELY DISABLED PERSONS, to the Permanent Subcommittee on Travel and Tourism.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 543,** A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE DARE COUNTY AND PAMLICO COUNTY GEOGRAPHICAL INFORMATION SYSTEMS.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (102-0), and the bill is ordered enrolled.

H.B. 632, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY.

On motion of Representative Davis, the House concurs in the Senate amendment, by electronic vote (101-1), and the bill is ordered enrolled.

Committee Substitute for **H.B. 750,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF STATE TRUCKS AND VANS FOR THE STATE GAMES OF NORTH CAROLINA.

On motion of Representative Blue, the House concurs in the Senate amendment, by electronic vote (104-0), and the bill is ordered enrolled.

H.B. 558, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF CATAWBA TO ANNEX AREAS LYING WITHIN THE CORPORATE BOUNDARIES OF THAT TOWN, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Barbee, Barnes, Beall, Berry, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Easterling, Eddins, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, G. Robinson, J. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson,

Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 101.

Voting in the negative: Representative Baker.

Excused absences: Representatives Dickson, Dockham, Fitch, Gamble, G. Miller, Reynolds, Russell, and Wright - 8.

Committee Substitute for **H.B. 574,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF LAND HARBOR, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Easterling, Eddins, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, G. Robinson, J. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Dickson, Dockham, Fitch, Gamble, G. Miller, Reynolds, Russell, and Wright - 8.

S.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF DALLAS TO ENACT A PROPERTY MAINTENANCE ORDINANCE AND TO ASSESS CERTAIN COSTS OF ENFORCEMENT AS A LIEN AGAINST THE PROPERTY.

On motion of Representative Morgan and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

S.B. 178, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR THE ALLEGHANY SCHOOL ADMINISTRATIVE UNIT,

passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 289, A BILL TO BE ENTITLED AN ACT RELATING TO THE TERMS OF OFFICE OF THE COUNTY COMMISSIONERS OF ASHE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 377, A BILL TO BE ENTITLED AN ACT INCLUDING WITHIN THE DEFINITION OF AN ABANDONED VEHICLE THOSE LEFT ON CERTAIN HIGHWAYS WITHIN THE CITY OF WINSTON-SALEM FOR MORE THAN FORTY-EIGHT HOURS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 471, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE BUNCOMBE COUNTY BOARD OF EDUCATION SHALL BE ELECTED ON A NONPARTISAN PLURALITY BASIS ON THE DATE OF THE GENERAL ELECTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 458,** A BILL TO BE ENTITLED AN ACT TO IMPOSE CONDITIONS FOR THE RESTORATION OR CONTINUED ENJOYMENT OF A DRIVING PRIVILEGE AFTER A CONVICTION FOR DRIVING WHILE IMPAIRED OR DRIVING WHILE A PROVISIONAL LICENSEE AFTER CONSUMING DRUGS OR ALCOHOL, AND TO PROMOTE COMPLIANCE WITH THESE CONDITIONS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Easterling, Eddins, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes,

Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, G. Robinson, J. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 104.

Voting in the negative: Representative Linney.

Excused absences: Representatives Dickson, Dockham, Fitch, Gamble, G. Miller, Reynolds, Russell, and Wright - 8.

S.B. 448, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE APPELLATE DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM, passes its second reading by electronic vote (105-0).

Representative Daughtry objects to the third reading. The bill remains on the Calendar.

S.B. 1017, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NORTH CAROLINA TO THE NORTH CAROLINA MEDICAL BOARD AND TO MAKE CONFORMING CHANGES THROUGHOUT THE GENERAL STATUTES, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Holmes, Esposito, and Creech for the Committee on Appropriations:

Committee Substitute for **H.B. 5,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PUBLIC ASSISTANCE PERSONAL AND FAMILY RESPONSIBILITY ACT OF 1995 AND TO REAUTHORIZE THE LEGISLATIVE STUDY COMMISSION ON WELFARE REFORM, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representatives Berry and Howard, Co-Chairs for the Standing Committee on Welfare Reform and Human Resources refer the following bills to the Permanent Subcommittee on Aging.

S.B. 318, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TIME REQUIREMENT FOR THE UPDATING OF THE PLAN FOR SERVING OLDER ADULTS;

Committee Substitute for **S.B. 334,** A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE LONG-TERM CARE OMBUDSMAN PROGRAM LAW, THE NURSING HOME COMMUNITY ADVISORY COMMITTEE LAW, AND THE DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEE LAW; and

S.B. 864, A BILL TO BE ENTITLED AN ACT TO REQUIRE ADULT CARE HOMES TO SUBMIT ANNUAL AUDITED REPORTS OF ACTUAL COSTS AND TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES TO ADOPT RULES TO ENSURE QUALITY OF CARE IN ADULT CARE HOMES.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Daughtry withdraws his objection to the third reading of **S.B. 448,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE APPELLATE DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE

PRIOR TERM.

Representative Hackney objects to the third reading. The bill remains on the Calendar.

On motion of Representative Morgan, seconded by Representative Ramsey, the House adjourns at 1:32 p.m. to reconvene Monday, May 22, 1995, at 7:00 p.m.

SIXTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 22, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, it's kinda hard to settle back in on Monday and to get ourselves re-focused. But, we all know that there is much work yet to be done. Maybe a good way to begin is by giving thanks to You. Your Word says, 'Oh give thanks unto the Lord; for He is good and His mercy endureth forever'; (I Chronicles 16:34). I worshiped Sunday at Little Pine Church high up on the Blue Ridge. We sang 'Love Lifted Me' and 'Where Can I Go But To The Lord' to the accompaniment of two Bob Watson guitars and an electric bass. I thought about the State House and each Representative here as I looked into the sturdy, honest faces of this North Carolina. Father, please help us to stay on course and never break faith with those who trust in us. Protect us from the hypnotic spell of Politicitus, and from Beltway myopia. And Father, give us grateful hearts that again this week we have the privilege of being Your servants. In Your name we pray. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 18 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (98-0).

Leaves of absence are granted Representatives Culpepper, Cunningham, Decker, Ellis, R. Hunter, and Wright for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 178, AN ACT TO CHANGE THE PAY DATE FOR THE ALLEGHANY SCHOOL ADMINISTRATIVE UNIT. (CHAPTER 90)

S.B. 289, AN ACT RELATING TO THE TERMS OF OFFICE OF THE COUNTY COMMISSIONERS OF ASHE COUNTY. (CHAPTER 91)

S.B. 377, AN ACT INCLUDING WITHIN THE DEFINITION OF AN ABANDONED VEHICLE THOSE LEFT ON CERTAIN HIGHWAYS WITHIN THE CITY OF WINSTON-SALEM FOR MORE THAN FORTY-EIGHT HOURS. (CHAPTER 92)

S.B. 471, AN ACT TO PROVIDE THAT THE BUNCOMBE COUNTY BOARD OF EDUCATION SHALL BE ELECTED ON A NONPARTISAN PLURALITY BASIS ON THE DATE OF THE GENERAL ELECTION. (CHAPTER 93)

S.B. 1017, AN ACT TO CHANGE THE NAME OF THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NORTH CAROLINA TO THE NORTH CAROLINA MEDICAL BOARD AND TO MAKE CONFORMING CHANGES THROUGHOUT THE GENERAL STATUTES. (CHAPTER 94)

H.B. 543, AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE DARE COUNTY AND PAMLICO COUNTY GEOGRAPHICAL INFORMATION SYSTEMS. (CHAPTER 95)

H.B. 632, AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY. (CHAPTER 96)

H.B. 750, AN ACT TO ALLOW THE USE OF STATE TRUCKS AND VANS FOR THE STATE GAMES OF NORTH CAROLINA. (CHAPTER 97)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

H.B. 852, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MINIMUM HIGHWAY USE TAX, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 23. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 168, A BILL TO BE ENTITLED AN ACT TO ENHANCE CHILD SUPPORT COLLECTION THROUGH DRIVER AND PROFESSIONAL LICENSE REVOCATION, REPORTING AND PUBLICATION OF NAMES OF PARENTS WHO ARE DELINQUENT IN SUPPORT, AND OTHER INITIATIVES FOR COLLECTING OVERDUE CHILD SUPPORT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

Committee Substitute No. 2 for **H.B. 236,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE INSURANCE REGULATORY CHARGE, TO INCREASE THE GROSS PREMIUMS TAX TO PARTIALLY OFFSET THE REPEAL OF THE REGULATORY CHARGE, AND TO PROVIDE FOR THE DISPOSITION OF FEES COLLECTED BY THE DEPARTMENT OF INSURANCE, with a favorable report as to Committee Substitute Bill No. 3, which changes the title, unfavorable as to Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), Committee Substitute Bill No. 3 is placed on the Calendar. Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 229,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION BUDGET OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is returned for concurrence in Senate committee substitute and placed on the Calendar for May 23.

CALENDAR

Action is taken on the following:

S.B. 448, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE APPELLATE DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM, passes its third reading, by electronic vote (104-1), and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 871,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT AND ASSIGNMENT OF EMERGENCY RECALL JUDGES OF THE COURT OF APPEALS, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **S.B. 771,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF INDEPENDENT CONTRACTORS OF PUBLIC HOSPITALS, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 862, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXCEPTION TO THE LAW VOIDING FORUM SELECTION PROVISIONS IN CONTRACTS BY VALIDATING ACTIONS COMMENCED PURSUANT TO SUCH PROVISIONS WITH THE CONSENT OF ALL PARTIES TO THE CONTRACT, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 390,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENTS PROJECT AT APPALACHIAN STATE UNIVERSITY, is withdrawn from the Calendar and re-referred to the Committee on Finance.

INTRODUCTION OF PAGES

Pages for the week of May 22-26 are introduced to the membership. They are: Byron Battle of Guilford; Melody Dickerson of Alamance; Jennifer Dixon of Moore; Christy Edmondson of Edgecombe; Kevin Farrell of Wake; Kevin Galloway of Moore; Holly Griffin of Chatham; Heather Griffin of Alamance; Mars Gunn of Durham; Pat Heavner of Johnston; Sara Hodge of Wake; Michael Hosey of Transylvania; Jennifer Ann Musgrove of Buncombe; Jody Parrish of Johnston; Blair Pendleton of Wake; Talley Scroggs of Onslow; Kim Twiford of Nash; and Lydia Wilson of Henderson.

On motion of Representative Morgan, seconded by Representative Barbee, the House adjourns at 7:18 p.m. to reconvene May 23 at 1:30 p.m.

SIXTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 23, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Father, Your Word begins with, 'In the beginning God created'. You created beings, the world, and us. In my imagination, four beings could have watched. One asked, why? From him all philosophers have come. One asked, how? From him all scientists have come. One asked, may I have it? From him all entrepreneurs have come. One asked, can I help? From him maybe all preachers and politicians have come. 'Subdue, it's unfinished', You said, and gave us rules to go by, Your Law; 'you will mess up along the way', and so You sent Your son for a second chance; 'you will be lonely', and sent Your Spirit to comfort and to bless. Then You handed each of us a little slice of time and said, 'Now see what you can do'. Father, maybe we are all four of these beings rolled into one, but when we ran for election I expect that each one of us said, 'I want to effect change, I want to help'. So here we are Father, our slice of time, our moment upon the stage, please help us not to drop our lines, and help us to do what You had in mind so that when the curtain falls and we move to the wings, You can put Your arm about our shoulders and say, 'Well done, that is exactly how I wrote your lines'. Thank You, Father. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 22 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (97-1).

Leaves of absence are granted Representatives Fitch and Richardson for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 448, AN ACT TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE APPELLATE DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM. (CHAPTER 98)

S.B. 771, AN ACT TO CLARIFY THE STATUS OF INDEPENDENT

CONTRACTORS OF PUBLIC HOSPITALS. (CHAPTER 99)

S.B. 862, AN ACT TO PROVIDE AN EXCEPTION TO THE LAW VOIDING FORUM SELECTION PROVISIONS IN CONTRACTS BY VALIDATING ACTIONS COMMENCED PURSUANT TO SUCH PROVISIONS WITH THE CONSENT OF ALL PARTIES TO THE CONTRACT. (CHAPTER 100)

H.B. 383, AN ACT CLARIFYING THAT THE DARE COUNTY BOARD OF COMMISSIONERS LEVY TAXES ON BEHALF OF THE DUCK AREA BEAUTIFICATION DISTRICT, WHICH IS A SPECIAL DISTRICT ESTABLISHED UNDER ARTICLE VII OF THE CONSTITUTION, NOT A SPECIAL TAX AREA. (CHAPTER 101)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Tallent for the Committee on Financial Institutions:

Committee Substitute for **S.B. 414,** A BILL TO BE ENTITLED AN ACT TO "OPT-IN" FOR INTERSTATE BRANCHING AUTHORITY UNDER THE RIEGLE-NEAL INTERSTATE BANKING AND BRANCHING EFFICIENCY ACT OF 1994, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative J. Brown for the Committee on Agriculture:

S.B. 975, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPOSIT O TOBACCO ASSESSMENT FUNDS WITH THE NORTH CAROLINA TOBACCO FOUNDATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Allred for the Permanent Subcommittee on Economic Expansion and Growth:

H.B. 475, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA CAPITAL ACCESS AUTHORITY TO PROVIDE EQUITY AND CREDIT FINANCING TO SMALL AND MEDIUM-SIZED BUSINESSES TO CREATE JOBS FOR NORTH CAROLINA, reported to the Standing Committee on Business and Labor with no action taken.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 352, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EARLIER DATE FOR THE PRESIDENTIAL PRIMARY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S.B. 679, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN ACTIONS OF WATER AND SEWER DISTRICTS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 22, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 56,** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL ANTIQUATED, OBSOLETE, OR UNCONSTITUTIONAL LAWS, and requests conferees. The President Pro Tempore appoints:

Senator Plyler, Chairman

Senator Rand
Senator Hartsell

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Daughtry, Justus, and Culpepper as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **S.B. 943,** A BILL TO BE ENTITLED AN ACT TO ADDRESS MOTOR FUEL TAX EVASION AND TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAXES BY CHANGING THE POINT OF TAXATION OF GASOLINE AND DIESEL FUEL, TO REPEAL THE MINIMUM HIGHWAY USE TAX, AND TO STRENGTHEN THE ENFORCEMENT OF THE ROAD TAX PAID BY MOTOR CARRIERS, is read the first time and referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 52,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS FROM THE STATE-OWNED SUBMERGED LANDS ADVISORY COMMITTEE AND TO AMEND CHAPTER 146 OF THE GENERAL STATUES CONCERNING SUBMERGED LANDS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 229,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION

BUDGET OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

On motion of Representative Holmes, the House does not concur in the Senate committee substitute, by electronic vote (77-40), and conferees are requested.

The Speaker appoints Representatives Holmes, Chair; Esposito, Creech, Ives, Lemmond, Hayes, Gardner, Mitchell, Weatherly, Grady, Preston, Bowie, Barbee, Justus, Thompson, Cummings, Culpepper, Crawford, Russell, Daughtry, and Nye on the part of the House and the Senate is so notified by Special Message.

Committee Substitute for **H.B. 852,** A BILL TO BE ENTITLED AN ACT TO ADDRESS MOTOR FUEL TAX EVASION AND TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAXES BY CHANGING THE POINT OF TAXATION OF GASOLINE AND DIESEL FUEL, TO REPEAL THE MINIMUM HIGHWAY USE TAX, AND TO STRENGTHEN THE ENFORCEMENT OF THE ROAD TAX PAID BY MOTOR CARRIERS.

Representative Bowie offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 117.

Voting in the negative: None.

Excused absences: Representatives Fitch and Richardson - 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 5,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PUBLIC ASSISTANCE PERSONAL AND FAMILY RESPONSIBILITY ACT OF 1995 AND TO REAUTHORIZE THE LEGISLATIVE STUDY COMMISSION ON WELFARE REFORM.

Representative Redwine inquires of the Chair what the disposition of the bill will be today since the money has been taken out of the bill pursuant to the Executive Budget Act and the crossover deadline in the House and Senate Rules. The Speaker states that the bill will be debated on second reading and upon passage, held on the Calendar until the main budget is passed.

Representative Adams offers Amendment No. 1 which is adopted by electronic vote (104-4).

Representative Adams offers Amendment No. 2.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (76-39).

Amendment No. 2 fails of adoption by electronic vote (49-68).

Representative Michaux offers Amendment No. 3 which is adopted by electronic vote (89-26).

Representative Linney offers Amendment No. 4 which is adopted by electronic vote (97-10).

Representative Berry calls the previous question on the passage of the bill and the call is sustained by electronic vote (79-36).

The bill, as amended, passes its second reading by electronic vote (76-41).

Representative Berry objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 309,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING OF NOTICES OF LIS PENDENS IN THE ENFORCEMENT OF HOUSING AND BUILDING STANDARDS BY CITIES AND COUNTIES.

On motion of Representative Ellis, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 405,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE PERSONNEL ACT RELATING TO THE DEFINITION OF CAREER STATE EMPLOYEE, THE GROUNDS FOR STATE EMPLOYEE APPEALS, THE INVESTIGATORY DUTIES OF THE OFFICE OF STATE PERSONNEL, AND THE PRIORITY CONSIDERATION OF STATE EMPLOYEES IN FILLING VACANCIES; TO PROVIDE FOR THE ADOPTION OF AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE BY THE STATE PERSONNEL COMMISSION; AND TO ALLOW ALTERNATIVE OBSERVANCE OF THE NEW YEAR'S HOLIDAY.

On motion of Representative Culp and without objection, consideration of the bill is postponed until May 25.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative J. Brown for the Committee on Agriculture:

S.B. 649, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SWEET POTATO ASSESSMENTS TO BE PAID BY PRODUCERS OF SWEET POTATOES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives C. Wilson, Arnold, and Gray for the Committee on Finance:

H.B. 396, A BILL TO BE ENTITLED AN ACT TO EXPAND THE STATE PORTS TAX CREDIT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 24. The original bill is placed on the Unfavorable Calendar.

H.B. 504, A BILL TO BE ENTITLED AN ACT TO SUBTRACT ANY TRADE-IN ALLOWANCE IN CALCULATING THE ALTERNATIVE HIGHWAY USE TAX ON LEASED VEHICLES AND TO ALLOW A CREDIT AGAINST THE HIGHWAY USE TAX FOR ANY ALTERNATIVE HIGHWAY USE TAX PAID ON A LONG-TERM LEASE OF THE SAME VEHICLE BY THE PURCHASER OR A RELATED PERSON, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 550,** A BILL TO BE ENTITLED AN ACT TO ALLOW RANDOLPH COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 24.

Committee Substitute for **H.B. 667,** A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN MUNICIPALITIES TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 24.

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **S.B. 41,** A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCEDURE FOR ELIMINATING FRIVOLOUS LAWSUITS BY PRISONERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 24.

S.B. 58, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN VOTER REGISTRATION LAWS AND OTHER ELECTION LAWS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 362,** A BILL TO BE ENTITLED AN ACT RELATING TO APPOINTMENTS TO THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, AMENDING THE LAWS RELATING TO THE POWERS OF AND APPEALS BEFORE THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, AND OTHERWISE PERTAINING TO CHAPTER 17E OF THE GENERAL STATUTES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 24.

S.B. 379, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON THE JUVENILE CODE TO ALLOW COURTS TO ORDER PSYCHIATRIC OR PSYCHOLOGICAL TREATMENT OF PARENTS OF JUVENILES ADJUDICATED DELINQUENT, UNDISCIPLINED, ABUSED, NEGLECTED, OR DEPENDENT AT THE DISPOSITIONAL HEARINGS OR SUBSEQUENT HEARINGS AND TO PROVIDE FOR NOTICE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

S.B. 535, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE APPOINTIVE OFFICE OF TAX COLLECTOR FOR BUNCOMBE COUNTY AND THE CITY OF ASHEVILLE UPON THE EXPIRATION OF THE TERM OF THE PRESENT ELECTED TAX COLLECTOR AND TO AUTHORIZE THE JOINT OR SEPARATE APPOINTMENT OF A TAX COLLECTOR FOR THE COUNTY AND CITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 24.

S.B. 568, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DAVIE COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE ON THE FIRST MONDAY IN JULY FOLLOWING THEIR ELECTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 580, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ALBEMARLE CONCERNING ASSESSMENTS FOR STREET IMPROVEMENTS, with a favorable report.

On motion of the Chair, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

S.B. 636, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION OF PROFITS FROM THE ABC SYSTEM IN THE CITY OF HENDERSONVILLE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 24.

S.B. 639, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF HENDERSONVILLE TO DONATE UNCLAIMED BICYCLES TO CHARITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 24.

S.B. 640, A BILL TO BE ENTITLED AN ACT CHANGING THE ELECTION OF MEMBERS OF THE MCDOWELL COUNTY BOARD OF EDUCATION FROM MAY TO NOVEMBER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 24.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 309,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING OF NOTICES OF LIS PENDENS IN THE ENFORCEMENT OF HOUSING AND BUILDING STANDARDS BY CITIES AND COUNTIES, is withdrawn from the Calendar and placed on the Calendar of May 29.

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 405,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE PERSONNEL ACT RELATING TO THE DEFINITION OF CAREER STATE EMPLOYEE, THE GROUNDS FOR STATE EMPLOYEE APPEALS, THE INVESTIGATORY DUTIES OF THE OFFICE OF STATE PERSONNEL, AND THE PRIORITY CONSIDERATION OF STATE EMPLOYEES IN FILLING VACANCIES; TO PROVIDE FOR THE ADOPTION OF AN ALTERNATIVE DISPUTE

RESOLUTION PROCEDURE BY THE STATE PERSONNEL COMMISSION; AND TO ALLOW ALTERNATIVE OBSERVANCE OF THE NEW YEAR'S HOLIDAY, is withdrawn from the Calendar of May 25 and placed on the Calendar of May 29.

RE-REFERRALS

On motion of Representative Neely, pursuant to Rule 39.2, **S.B. 85,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HONORARY TRUSTS, TRUSTS FOR PETS, AND TRUSTS FOR CEMETERY LOTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Judiciary II.

On motion of Representative Wood and without objection, pursuant to Rule 39.2, **H.B. 781,** A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE FUNDING OF K-12 LEGISLATIVE TUITION GRANTS TO PARENTS OF SCHOOL-AGED CHILDREN IN NORTH CAROLINA, is withdrawn from the Committee on Education and re-referred to the Committee on Appropriations.

On motion of Representative Wood and without objection, pursuant to Rule 39.2, **H.B. 954,** A BILL TO BE ENTITLED AN ACT TO PERMIT PARENTS TO CHOOSE THE EDUCATIONAL SETTING THAT BEST HELPS THEIR CHILD LEARN, is withdrawn from the Committee on Education and re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Earle, the House adjourns at 3:43 p.m. to reconvene May 24 at 1:30 p.m.

SIXTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 24, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, what a true Legislative day we had yesterday. The presentation of bills was superb, the debate eloquent and passionate. The framing of philosophical concepts lucid and clear. This is what politics and lawmaking is all about, and Father, what a personal privilege is mine to be able to be here in this place with the capable and dedicated men and women who make up this Body. To be able to listen to and to learn from them, and to be allowed to vocally pray. I feel like a child who has been permitted to enter a great artist's studio. Some Michaelangelo who studied a block of marble and said, 'There's an angel in that stone and I must set it free'. I am overwhelmed by the hours spent in committee, the insight, intelligence, perception, and vision. The honest efforts to govern well. The corporate bill brought here, subjected to the chisel of amendment, the mallet of rebuttal, and the polish of compromise until the final piece is finished and unveiled to the public by these artisans of service, these sculptors of law. We the people are truly dependent upon them and You, and so bless them our Father. Bless the work of their hands, and may we never take for granted our citizenship nor Your love. Through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 23 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (88-0).

Leaves of absence are granted Representatives Fitch and Wright for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Nichols for the Committee on Health and Environment:

S.B. 506, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, TECHNICAL CHANGES TO VARIOUS PUBLIC HEALTH LAWS, AND TO ESTABLISH A MINIMUM BURIAL DEPTH FOR HUMAN INTERMENT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 818, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BIRTH DEFECTS MONITORING PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, with a

favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1046, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE STATE NATURE AND HISTORIC PRESERVE AND TO AUTHORIZE THE DELETION OF VARIOUS PROPERTIES FROM THE STATE PARKS SYSTEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Daughtry for the Committee on Judiciary I:

S.B. 312, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INSANITY HEARING FOR A DEFENDANT FOUND NOT GUILTY BY REASON OF INSANITY TO BE HELD IN THE SAME COUNTY AS THE RESPONDENT'S TRIAL WAS HELD, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Miner for the Committee on Transportation:

H.B. 540, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ACCELERATION OF THE CONSTRUCTION OF THE URBAN LOOPS AND PAVING OF UNPAVED SECONDARY ROADS WITH THE USE OF BONDS OR OTHER PRUDENT METHODS OF FINANCING, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 241, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO SELL SOUVENIRS ON FERRIES AND AT FERRY FACILITIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 240, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERFORM DREDGING SERVICES FOR UNITS OF LOCAL GOVERNMENT, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Tallent for the Committee on Financial Institutions:

S.B. 412, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW CONCERNING THE FEDERAL PREEMPTION OF STATE USURY LAWS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 482, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN MISCELLANEOUS AMENDMENTS TO THE BANKING LAWS, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar for May 29.

By Representatives Holmes, Esposito, and Creech for the Committee on Appropriations:

Committee Substitute for **H.B. 168,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF CHILD SUPPORT BY CREATING ADDITIONAL REMEDIES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative G. Robinson for the Committee on Business and Labor:

H.B. 475, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA CAPITAL ACCESS AUTHORITY TO PROVIDE EQUITY AND CREDIT FINANCING TO SMALL AND MEDIUM-SIZED BUSINESSES TO CREATE JOBS FOR NORTH CAROLINA, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 884, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PREPARATION OF FIRE SPRINKLER PLANNING AND DESIGN DRAWINGS BY A LICENSED FIRE SPRINKLER CONTRACTOR UNDER THE ENGINEERING AND LAND SURVEYING ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 667,** A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN MUNICIPALITIES TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, passes its second reading by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Hurley, Ives, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 103.

Voting in the negative: Representatives Aldridge, Berry, Creech, R. Hunter, K. Miller, and Miner - 6.

Excused absences: Representatives Fitch and Wright - 2.

S.B. 535, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE APPOINTIVE OFFICE OF TAX COLLECTOR FOR BUNCOMBE

COUNTY AND THE CITY OF ASHEVILLE UPON THE EXPIRATION OF THE TERM OF THE PRESENT ELECTED TAX COLLECTOR AND TO AUTHORIZE THE JOINT OR SEPARATE APPOINTMENT OF A TAX COLLECTOR FOR THE COUNTY AND CITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 636, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION OF PROFITS FROM THE ABC SYSTEM IN THE CITY OF HENDERSONVILLE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 639, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF HENDERSONVILLE TO DONATE UNCLAIMED BICYCLES TO CHARITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 640, A BILL TO BE ENTITLED AN ACT CHANGING THE ELECTION OF MEMBERS OF THE MCDOWELL COUNTY BOARD OF EDUCATION FROM MAY TO NOVEMBER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 852,** A BILL TO BE ENTITLED AN ACT TO ADDRESS MOTOR FUEL TAX EVASION AND TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAXES BY CHANGING THE POINT OF TAXATION OF GASOLINE AND DIESEL FUEL, TO REPEAL THE MINIMUM HIGHWAY USE TAX, AND TO STRENGTHEN THE ENFORCEMENT OF THE ROAD TAX PAID BY MOTOR CARRIERS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue,

Bowen, Bowie, Boyd-McIntyre, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Fitch and Wright - 2.

Committee Substitute for **H.B. 396,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE PORTS TAX CREDIT BY EXPANDING IT TO INCLUDE IMPORTS, BY EXTENDING THE SUNSET ON THE CREDIT, AND BY LIMITING THE CREDIT FOR BULK EXPORTS, passes its second reading by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 112.

Voting in the negative: Representatives Luebke and Shubert - 2.

Excused absences: Representatives Fitch and Wright - 2.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute No. 2 for **H.B. 5,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PUBLIC ASSISTANCE PERSONAL AND FAMILY RESPONSIBILITY ACT OF 1995 AND TO REAUTHORIZE THE LEGISLATIVE STUDY COMMISSION ON WELFARE REFORM, is withdrawn from the Calendar and placed on the Calendar of May 31.

CALENDAR (continued)

Committee Substitute for **H.B. 550,** A BILL TO BE ENTITLED AN ACT TO ALLOW RANDOLPH COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **S.B. 41,** A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCEDURE FOR ELIMINATING FRIVOLOUS LAWSUITS BY PRISONERS, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 362,** A BILL TO BE ENTITLED AN ACT RELATING TO APPOINTMENTS TO THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, AMENDING THE LAWS RELATING TO THE POWERS OF AND APPEALS BEFORE THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, AND OTHERWISE PERTAINING TO CHAPTER 17E OF THE GENERAL STATUTES, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

Representative Hightower states that his voting equipment malfunctioned and requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (113-0).

The bill passes its third reading and is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 24, 1995

Mr. Speaker:

On **H.B. 373,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES, which Senate Amendment No. 1 proposes to change the title, upon concurrence, to read **H.B. 373,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES AND TO PROHIBIT THE TAKING OF DEER WITH DOGS IN A PORTION OF RICHMOND COUNTY, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees, and the title becomes **H.B. 373,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES AND TO PROHIBIT THE TAKING OF DEER WITH DOGS IN A PORTION OF RICHMOND COUNTY.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Decker for the Committee on Local and Regional Government II:

S.B. 339, A BILL TO BE ENTITLED AN ACT TO GRANT ADDED POWERS TO THE STANLY AIRPORT AUTHORITY RELATED TO CONSTRUCTING AN INDUSTRIAL PARK, with a favorable report and

recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 384, A BILL TO BE ENTITLED AN ACT RELATING TO PYROTECHNICS IN THE CITY OF WINSTON-SALEM, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 476, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE ASHE COUNTY BOARD OF EDUCATION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 507, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO PERMIT THE CITY COUNCIL TO SPECIALLY ASSESS BENEFITED PROPERTY FOR THE COST OF EXTENDING WATER AND SEWER LINES TO PROPERTY LOCATED OUTSIDE OF THE CITY LIMITS WHEN REQUESTED BY THE BOARD OF COMMISSIONERS OF DURHAM COUNTY WITHOUT THE NECESSITY OF A PETITION FOR SUCH IMPROVEMENTS BEING SUBMITTED, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 542, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE NONPARTISAN ELECTION OF THE CATAWBA COUNTY BOARD OF EDUCATION BY PLURALITY VOTE AT THE TIME OF THE COUNTY GENERAL ELECTION, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 25.

S.B. 582, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITIES OF WINSTON-SALEM AND WILMINGTON AND NEW HANOVER COUNTY TO REGULATE BY ORDINANCE THE

POSSESSION OF MALT BEVERAGES AND UNFORTIFIED WINE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 583, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONAL REPRESENTATIVES OF ESTATES IN THE CITY OF WINSTON-SALEM TO EXPEND ESTATE ASSETS TO PREVENT THE WASTE OF REAL PROPERTY BELONGING TO THE ESTATE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 25.

S.B. 654, A BILL TO BE ENTITLED AN ACT AUTHORIZING A ONE-STEP SERVICE PROCESS IN SPECIFIED HOUSING CODE CASES IN THE CITY OF ASHEVILLE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 25.

On motion of Representative Morgan, seconded by Representative Berry, the House adjourns at 2:16 p.m. to reconvene May 25 at 1:30 p.m.

SEVENTIETH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 25, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, I think that some of this legislative stuff is sticking to me whether I know it or not. The other night after dinner my wife said, 'Honey we've just got to get a new couch'. I replied, 'We can't, Sweetheart, that's a unfunded mandate. We'll refer the matter to Appropriations.' She

didn't even blink. 'Just look at it, one of the grandchildren will be hurt on that exposed spring.' I said, 'Honey we'll just refer that to Human Resources and Welfare'. She didn't skip a beat, 'Well, you know that I just can't have my class meeting on such junk, can't teach them a thing'. I replied, 'Well, we'll just refer that to Education'. In a kinder tone she said, 'I know that your arthritis is acting up so you'll have to have some help taking the thing out'. I countered, 'Well, Honey, I'll take that up with Business and Labor'. Her eyes sparked fire, 'Look at me when I talk to you'! I stiffened, 'Are you ordering me? We'll just refer this matter to Judiciary.' 'Okay Mr. Smarty Pants', she said, 'Let's just vote on it. The Clerk will lock the machine and record the vote.' 'It's a tie', I said, 'Who will break the tie?' She flashed, 'I will, this broomstick counts one, so it's two to one'! 'Okay, okay', I said 'Just take it easy, I'll call Finance'. Father, thank You again for this week, and as we return home maybe things would go a bit smoother if we left most of this stuff behind. Thank You, Father. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 24 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (97-0).

Leaves of absence are granted Representatives Dickson, Easterling, Fitch, and Gamble for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 41, AN ACT TO PROVIDE A PROCEDURE FOR ELIMINATING FRIVOLOUS LAWSUITS BY PRISONERS. (CHAPTER 102)

S.B. 362, AN ACT RELATING TO APPOINTMENTS TO THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, AMENDING THE LAWS RELATING TO THE POWERS OF AND APPEALS BEFORE THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, AND OTHERWISE PERTAINING TO CHAPTER 17E OF THE GENERAL STATUTES. (CHAPTER 103)

S.B. 535, AN ACT TO ESTABLISH THE APPOINTIVE OFFICE OF TAX COLLECTOR FOR BUNCOMBE COUNTY AND THE CITY OF ASHEVILLE UPON THE EXPIRATION OF THE TERM OF THE

PRESENT ELECTED TAX COLLECTOR AND TO AUTHORIZE THE JOINT OR SEPARATE APPOINTMENT OF A TAX COLLECTOR FOR THE COUNTY AND CITY. (CHAPTER 104)

S.B. 636, AN ACT TO MODIFY THE DISTRIBUTION OF PROFITS FROM THE ABC SYSTEM IN THE CITY OF HENDERSONVILLE. (CHAPTER 105)

S.B. 639, AN ACT TO ALLOW THE CITY OF HENDERSONVILLE TO DONATE UNCLAIMED BICYCLES TO CHARITY. (CHAPTER 106)

S.B. 640, AN ACT CHANGING THE ELECTION OF MEMBERS OF THE MCDOWELL COUNTY BOARD OF EDUCATION FROM MAY TO NOVEMBER. (CHAPTER 107)

S.B. 871, AN ACT TO PROVIDE FOR THE APPOINTMENT AND ASSIGNMENT OF EMERGENCY RECALL JUDGES OF THE COURT OF APPEALS. (CHAPTER 108)

H.B. 213, AN ACT CONCERNING THE COLLECTION OF DELINQUENT TRUCK PENALTIES AND ASSESSED TAXES AND THE CONSOLIDATION OF THE VARIOUS PROVISIONS CONCERNING OVERWEIGHT VEHICLES. (CHAPTER 109)

H.B. 373, AN ACT TO PROHIBIT THE RUNNING OF DEER BY DOGS IN THE TOWN OF SOUTHERN SHORES AND TO PROHIBIT THE TAKING OF DEER WITH DOGS IN A PORTION OF RICHMOND COUNTY. (CHAPTER 110)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative G. Robinson for the Committee on Business and Labor:

H.B. 281, A BILL TO BE ENTITLED AN ACT TO CREATE THE RESIDENTIAL PROPERTY DISCLOSURE ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

Committee Substitute No. 2 for **S.B. 259,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL LIABILITY FOR LARCENY, SHOPLIFTING, EMBEZZLEMENT, AND OBTAINING PROPERTY BY FALSE PRETENSE AND TO PROTECT MERCHANTS AND PEACE OFFICERS FROM CIVIL LIABILITY FOR DETENTION OR ARREST OF PERSONS ACCUSED OF LARCENY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 832, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE COURT OF APPEALS TO HEAR APPEALS IN CRIMINAL CASES IN WHICH LIFE SENTENCES ARE IMPOSED, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Berry and Howard for the Committee on Welfare Reform and Human Resources:

S.B. 501, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PARENTS OF A DEPENDENT CHILD WHO IS THE PARENT OF A DEPENDENT CHILD TO CONTRIBUTE TO THE SUPPORT OF THEIR GRANDCHILD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 560, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY DIRECTOR OF SOCIAL SERVICES TO DELEGATE THE FUNCTION OF ISSUING YOUTH EMPLOYMENT CERTIFICATES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 29.

S.B. 737, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT

COUNTIES PAY THEIR LOCAL SHARE OF PUBLIC ASSISTANCE PROGRAM BENEFITS BY ELECTRONIC FUNDS TRANSFER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 847, A BILL TO BE ENTITLED AN ACT TO ESTABLISH LICENSING OF MONUMENT CONTRACTORS, with as favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

H.B. 360, A BILL TO BE ENTITLED AN ACT TO EXEMPT RAILROADS FROM PAYMENT OF SALES TAX ON DIESEL FUEL USED BY LOCOMOTIVES AND RAILROAD CARS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 29.

H.B. 997, A BILL TO BE ENTITLED AN ACT TO ADD ACQUISITION OF LAND FOR LANDFILLS TO THE LIST OF PURPOSES FOR WHICH LOCAL GOVERNMENTS MAY ISSUE SPECIAL OBLIGATION BONDS OR OBTAIN FINANCING UNDER THE SOLID WASTE MANAGEMENT LOAN PROGRAM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 29.

H.B. 1013, A BILL TO BE ENTITLED AN ACT TO LEVY AN EXCISE TAX ON ILLEGAL SPIRITUOUS LIQUOR, AN EXCISE TAX ON MASH, AND AN EXCISE TAX ON ILLEGAL MIXED BEVERAGES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 29.

Committee Substitute for **S.B. 180,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM PAYMENT DUE TO THE EMPLOYMENT SECURITY COMMISSION FROM ONE DOLLAR TO FIVE DOLLARS, TO AUTHORIZE CERTAIN BUSINESSES TO FILE ANNUAL REPORTS WITH THE EMPLOYMENT SECURITY COMMISSION RATHER THAN QUARTERLY REPORTS, AND TO AUTHORIZE CERTAIN BUSINESSES THAT ARE ALLOWED TO FILE ANNUAL REPORTS TO FILE BY TELEPHONE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 649,** A BILL TO BE ENTITLED AN ACT CONCERNING SWEET POTATOES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 29.

SUBCOMMITTEE REFERRALS

Representative G. Robinson, Chair for the Standing Committee on Business and Labor, refers:

S.B. 437, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET CONCERNING GOVERNMENT CONSTRUCTION CONTRACTS, to the Permanent Subcommittee on Economic Expansion and Growth.

S.B. 1042, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS REGARDING GUARANTEED ENERGY SAVINGS CONTRACTS IN ORDER TO ENHANCE THE VIABILITY OF GUARANTEED ENERGY SAVINGS CONTRACTS BY LOCAL GOVERNMENTAL UNITS AND TO REPEAL THE SUNSET FOR LOCAL GOVERNMENTAL UNITS TO ENTER INTO THESE CONTRACTS, to the Permanent Subcommittee on Economic Expansion and Growth.

S.B. 554, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PURCHASE OF GOODS AND SERVICES FOR PERSONS WITH DISABILITIES UNDER PROCEDURES THAT ALLOW FLEXIBILITY TO MEET INDIVIDUAL NEEDS, to the Permanent Subcommittee on Travel and Tourism.

S.B. 1015, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEFINITION OF "DEVELOPER" FOR PURPOSES OF THE TIME SHARE ACT, to the Permanent Subcommittee on Travel and Tourism.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 24, 1995

Mr. Speaker:

Pursuant to your message received Tuesday, May 23, 1995 that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 229,** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION BUDGET OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES and requests conferees, the President Pro Tempore appoints:

Senator Plyler, Co-Chairman
Senator Perdue, Co-Chairman
Senator Odom, Co-Chairman
Senator Plexico
Senator Winner
Senator Martin of Guilford
Senator Martin of Pitt
Senator Warren
Senator Ballance
Senator Hoyle
Senator Rand
Senator Conder
Senator Edwards
Senator Little
Senator Davis
Senator Hartsell

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 25, 1995

Mr. Speaker:

For your information, it is ordered that a message be sent to your Honorable Body notifying you the Senate consents to the appointments by the Governor, pursuant to G.S. 106-2, of

Richard W. Vaughan
C. Osmond Kearney, Jr., and
Sam McLawhorn

to the North Carolina Board of Agriculture, for terms beginning immediately and expiring on May 1, 2001.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Wood for the Committee on Education:

H.B. 1033, A BILL TO BE ENTITLED AN ACT TO CREATE THE PIEDMONT TRIAD HORIZON EDUCATION CONSORTIUM PUBLIC SCHOOL PILOT PROJECT, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 667,** A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN MUNICIPALITIES TO USE WHEEL LOCKS

ON ILLEGALLY PARKED VEHICLES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Berry, Creech, Decker, and R. Hunter - 4.

Excused absences: Representatives Dickson, Easterling, Fitch, and Gamble - 4.

S.B. 542, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE NONPARTISAN ELECTION OF THE CATAWBA COUNTY BOARD OF EDUCATION BY PLURALITY VOTE AT THE TIME OF THE COUNTY GENERAL ELECTION.

On motion of Representative Kiser, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Dockham and without objection, **S.B. 568,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DAVIE

COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE ON THE FIRST MONDAY IN JULY FOLLOWING THEIR ELECTION, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

S.B. 583, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONAL REPRESENTATIVES OF ESTATES IN THE CITY OF WINSTON-SALEM TO EXPEND ESTATE ASSETS TO PREVENT THE WASTE OF REAL PROPERTY BELONGING TO THE ESTATE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 654, A BILL TO BE ENTITLED AN ACT AUTHORIZING A ONE-STEP SERVICE PROCESS IN SPECIFIED HOUSING CODE CASES IN THE CITY OF ASHEVILLE, passes it second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 396,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE PORTS TAX CREDIT BY EXPANDING IT TO INCLUDE IMPORTS, BY EXTENDING THE SUNSET ON THE CREDIT, AND BY LIMITING THE CREDIT FOR BULK EXPORTS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Hurley, Luebke, and Shubert - 3.

Excused absences: Representatives Dickson, Easterling, Fitch, and Gamble - 4.

Representatives McAllister and Aldridge state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (108-3).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 504,** A BILL TO BE ENTITLED AN ACT TO SUBTRACT ANY TRADE-IN ALLOWANCE IN CALCULATING THE ALTERNATIVE HIGHWAY USE TAX ON LEASED VEHICLES, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

RE-REFERRALS

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **H.B. 741,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE STATUTORY CAP ON CHARGES FOR PROCESSING MEDICAL RECORD COPY REQUESTS, is withdrawn from the Committee on Insurance and re-referred to the Committee on Appropriations.

On motion of Representative Daughtry and without objection, the following bills are withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

S.B. 558, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EXPEDITED EVICTION OF PERSONS ENGAGED IN DRUG-RELATED CRIMINAL ACTIVITY AND OTHER CRIMINAL ACTIVITY THAT THREATENS THE HEALTH, SAFETY, OR PEACEFUL ENJOYMENT OF RENTAL PROPERTY; and

S.B. 287, A BILL TO BE ENTITLED AN ACT TO CREATE OFFENSES OF STATUTORY RAPE AND STATUTORY SEXUAL OFFENSE AGAINST VICTIMS WHO ARE THIRTEEN, FOURTEEN, OR FIFTEEN YEARS OLD.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Daughtry for the Committee on Judiciary I:

H.B. 123, A BILL TO BE ENTITLED AN ACT TO REVISE THE CONTROLLED SUBSTANCE EXCISE TAX, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 477, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA FOREIGN-MONEY CLAIMS ACT, WHICH ACT ESTABLISHES A STANDARD FOR CONVERTING CURRENCY FOR MONETARY DAMAGES RESULTING FROM A FOREIGN JUDICIAL PROCEEDING OR ARBITRATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 29.

By Representative Buchanan for the Permanent Subcommittee on Military, Veterans and Indian Affairs of the Standing Committee on State Government, with approval of standing committee chair for report to be made directly to the floor of the House:

S.B. 487, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ASSISTANT ADJUTANT GENERAL FOR THE ARMY NATIONAL GUARD SHALL SERVE IN THE MILITARY POSITION OF BRIGADIER GENERAL - LINE, DEPUTY, STATE AREA COMMAND (STARC) COMMANDER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 29.

By Representative Wood for the Committee on Education:

S.B. 918, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF EDUCATION TO AUTHORIZE THE EMERGENCY CLOSING OF INDIVIDUAL SCHOOLS, with a favorable report, and having

received a unanimous vote in committee, is placed on the Consent Calendar of May 30.

By Representative Culp for the Committee on Public Employees:

H.B. 772, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN BY ALIGNING THE FISCAL YEAR AND THE CALENDAR YEAR OF THE PLAN AND HMOS, PROVIDING LIMITED CONTRIBUTIONS FOR EMPLOYEES WHO HAVE LOST THEIR JOBS DUE TO A REDUCTION IN FORCE, ALLOWING RIF'D EMPLOYEES TO PURCHASE COVERAGE FROM THE STATE PLAN, PROVIDING PARTIAL CONTRIBUTION TOWARD DEPENDENT COVERAGE, ALLOWING MATERNITY BENEFITS TO ELIGIBLE DEPENDENTS, INCREASING THE WELLNESS BENEFIT, CHANGING THE PRESCRIPTION DRUG REIMBURSEMENT FORMULA, PLACING THE PENALTY FOR NOT SEEKING CERTIFICATION WITH THE RESPONSIBLE PARTY, ALLOWING FOR IMPROVED BENEFITS WHEN ONE INCISION IS USED FOR MORE THAN ONE PROCEDURE, OMITTING THE OFFICE VISIT COPAY FOR RETIREES ON MEDICARE, COVERING ORAL SURGERY NECESSITATED BECAUSE OF MEDICAL TREATMENT, AND TO DOUBLE THE LIFETIME MAXIMUM BENEFIT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

CONFEREES APPOINTED

The Speaker appoints Representatives Creech and Esposito to serve as Co-Chairs with Representative Holmes on Senate Committee Substitute for **H.B. 229,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION BUDGET OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

On motion of Representative Morgan, seconded by Representative Lee, the House adjourns at 2:07 p.m. to reconvene Monday, May 29, 1995, at 7:00 p.m.

SEVENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Monday, May 29, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, here we are back in Raleigh. Thank You, for the weekend with our families. It is Memorial Day, a day set aside to remember. A mixture of emotions flood our beings, sadness, gratitude, joy, and yet a strange lonely presence, almost a fear. We heard bands play, watched ball games, heard speeches, and saw races. We laughed with our families and friends, and still kept casting glances over our shoulders to try and catch a glimpse of what ever this presence was. I don't know Father, maybe it was memory. Memory like - the long black wall of Vietnam, or Normandy, or St. Lo, and row on row - Bouganville, Guadalcanal, from jungle rot, to Libyan dust, to frozen death in North Korea, the minute men behind stone walls, Ardian, and Siegfried too, yes, and thousands more on the cold sea floor, and in prisons too they died:

"We'll play our bands and lay our wreaths,
And push hard against memories that sear.
We'll talk til the lumps swell big in our throats,
And the only voice that we have is a tear.

"Memory, no, it's the future that stalks from behind with a torch held high toward the darkening sky that illumines a sign blood red in its cast that asks, just why did they die?

"Did they die for the violence so cruel on our streets,
For classroom and schoolyard battle grounds,
For drug crazed masses and haunting eyed babies that
cry in our cities gaunt maw,
For a moraless society that feeds on itself with no creed
but fang and the claw,
For hate that counts it's only score card in death,
And greed that rides on the law?

"Then the universe fills with screams from their graves, no not for this did we die! But for freedom to be what God made us to be, pure, clean, and just in His sight. To love truth, and purity, and honesty too, to work for a honest days pay. To build cities and towns free from fear and from want, where families can learn, worship, and play. Here take this torch, you preachers, teachers, lawmakers, it's yours, hold it high, use it well, you must try. For Memorial Day will one day be for you, and they'll ask how did he live and for what did he die? So help us, Father, that we fail not man nor Thee. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 25 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (95-1).

Leaves of absence are granted Representatives Barnes, Linney, and G. Robinson for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Daughtry for the Committee on Judiciary I:

S.B. 707, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE SHARE OF AFTER-BORN OR AFTER-ADOPTED CHILDREN, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for May 30. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 344,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE REQUIREMENTS FOR CERTIFICATION TO TEACH NOTARY COURSES, TO ALLOW REVOCATION OF NOTARIAL COMMISSIONS FOR NOTARIES WHO FAIL TO ADMINISTER OATHS OR AFFIRMATIONS, TO PROVIDE THAT APPLICANTS FOR RECOMMISSIONING NEED NOT OBTAIN THE RECOMMENDATION

OF A PUBLICLY ELECTED OFFICIAL, AND TO ALLOW THE SECRETARY OF STATE LAW ENFORCEMENT AGENTS TO ENFORCE THE NOTARY CHAPTER, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Wood for the Committee on Education:

Committee Substitute for **S.B. 24,** A BILL TO BE ENTITLED AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives C. Wilson, Arnold, and Gray for the Committee on Finance:

H.B. 926, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGISTRATION OF ESTHETICIANS AND ESTHETICIAN APPRENTICES BY THE STATE BOARD OF COSMETIC ART EXAMINERS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 30. The original bill is placed on the Unfavorable Calendar.

S.B. 886, A BILL TO BE ENTITLED AN ACT TO AMEND THE HOSPITAL COOPERATION ACT REGARDING COOPERATIVE AGREEMENTS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative Wood, Chair for the Standing Committee on Education, refers:

S.B. 303, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REMOVAL OF MEMBERS OF STATE BOARD OF COMMUNITY COLLEGES AFTER UNEXCUSED ABSENCES FROM THREE CONSECUTIVE SCHEDULED BOARD MEETINGS, to the Permanent Subcommittee on Community Colleges and Universities.

S.B. 452, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT FORMER LEGISLATORS WAIT TWO YEARS BEFORE SERVING ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, to the Permanent Subcommittee on Community Colleges and Universities.

S.B. 967, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM TO PERMIT COMMUNITY COLLEGES TO USE INMATE LABOR FOR CAPITAL CONSTRUCTION PROJECTS, to the Permanent Subcommittee on Community Colleges and Universities.

Committee Substitute No. 2 for **S.B. 223,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL RECORD CHECKS OF PUBLIC SCHOOL EMPLOYEES, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

S.B. 277, A BILL TO BE ENTITLED AN ACT TO REMOVE THE FIFTY ACRE LIMITATION ON CONDEMNING PROPERTY FOR A SCHOOL SITE, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

S.B. 348, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE TO USE THE SETOFF DEBT COLLECTION ACT TO RECOUP FUNDS OWED BY TEACHERS WHO DO NOT FULFILL THEIR OBLIGATIONS UNDER THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS PROGRAM, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

S.B. 453, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE PROSPECTIVE TEACHERS SCHOLARSHIP LOAN PROGRAM, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

S.B. 922, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL EDUCATIONAL AND CAREER OPPORTUNITIES FOR TEACHER ASSISTANTS, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Hayes, Barbee, and Tallent:

H.J.R. 1068, A JOINT RESOLUTION HONORING THE MEMORY OF STEPHEN CABARRUS AND THE CITY OF CONCORD AS IT PREPARES FOR ITS BICENTENNIAL OBSERVANCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.J.R. 945, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, **H.R. 688,** A HOUSE RESOLUTION TO ESTABLISH THE HOUSE SELECT INVESTIGATIVE COMMITTEE ON CERTIFICATES OF NEED, is withdrawn from the Calendar and placed on the Calendar of May 30.

On motion of Representative Morgan and without objection, the following bills are withdrawn from the Calendar and placed on the Calendar of June 8.

S.B. 818, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BIRTH DEFECTS MONITORING PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES;

S.B. 241, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO SELL SOUVENIRS ON

FERRIES AND AT FERRY FACILITIES;

S.B. 240, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERFORM DREDGING SERVICES FOR UNITS OF LOCAL GOVERNMENT;

S.B. 412, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW CONCERNING THE FEDERAL PREEMPTION OF STATE USURY LAWS;

Committee Substitute for **S.B. 560,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY DIRECTOR OF SOCIAL SERVICES TO DELEGATE THE FUNCTION OF ISSUING YOUTH EMPLOYMENT CERTIFICATES; and

S.B. 477, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA FOREIGN-MONEY CLAIMS ACT, WHICH ACT ESTABLISHES A STANDARD FOR CONVERTING CURRENCY FOR MONETARY DAMAGES RESULTING FROM A FOREIGN JUDICIAL PROCEEDING OR ARBITRATION.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 582,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITIES OF CHARLOTTE, WILMINGTON AND WINSTON-SALEM; THE TOWNS OF ATLANTIC BEACH AND CHAPEL HILL; AND NEW HANOVER COUNTY TO REGULATE BY ORDINANCE THE POSSESSION OF MALT BEVERAGES AND UNFORTIFIED WINE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

S.B. 482, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN MISCELLANEOUS AMENDMENTS TO THE BANKING LAWS, passes its second reading by electronic vote (102-1).

Representative Gamble objects to the third reading. The bill remains on the Calendar.

H.B. 997, A BILL TO BE ENTITLED AN ACT TO ADD ACQUISITION OF LAND FOR LANDFILLS TO THE LIST OF PURPOSES FOR WHICH LOCAL GOVERNMENTS MAY ISSUE SPECIAL OBLIGATION BONDS OR OBTAIN FINANCING UNDER THE SOLID WASTE MANAGEMENT LOAN PROGRAM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representative K. Miller.

Excused absences: Representatives Barnes, Linney, and G. Robinson - 3.

H.B. 1013, A BILL TO BE ENTITLED AN ACT TO LEVY AN EXCISE TAX ON ILLEGAL SPIRITUOUS LIQUOR, AN EXCISE TAX ON MASH, AND AN EXCISE TAX ON ILLEGAL MIXED BEVERAGES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke,

McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Creech and Lee - 2.

Excused absences: Representatives Barnes, Linney, and G. Robinson - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1046, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE STATE NATURE AND HISTORIC PRESERVE AND TO AUTHORIZE THE DELETION OF VARIOUS PROPERTIES FROM THE STATE PARKS SYSTEM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Barnes, Linney, and G. Robinson - 3.

S.B. 649, A BILL TO BE ENTITLED AN ACT CONCERNING SWEET POTATOES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representative Gamble.

Excused absences: Representatives Barnes, Linney, and G. Robinson - 3.

H.B. 360, A BILL TO BE ENTITLED AN ACT TO EXEMPT RAILROADS FROM PAYMENT OF SALES TAX ON DIESEL FUEL USED BY LOCOMOTIVES AND RAILROAD CARS.

Representative Neely requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

House Committee Substitute for **S.B. 309,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING OF NOTICES OF LIS PENDENS IN THE ENFORCEMENT OF HOUSING AND BUILDING STANDARDS BY CITIES AND COUNTIES, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 405,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE PERSONNEL ACT RELATING TO

THE DEFINITION OF CAREER STATE EMPLOYEE, THE GROUNDS FOR STATE EMPLOYEE APPEALS, THE INVESTIGATORY DUTIES OF THE OFFICE OF STATE PERSONNEL, AND THE PRIORITY CONSIDERATION OF STATE EMPLOYEES IN FILLING VACANCIES; TO PROVIDE FOR THE ADOPTION OF AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE BY THE STATE PERSONNEL COMMISSION; AND TO ALLOW ALTERNATIVE OBSERVANCE OF THE NEW YEAR'S HOLIDAY, passes its second reading, by electronic vote (106-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 506,** A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, TECHNICAL CHANGES TO VARIOUS PUBLIC HEALTH LAWS, AND TO ESTABLISH A MINIMUM BURIAL DEPTH FOR HUMAN INTERMENT.

On motion of Representative Dickson, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 312,** A BILL TO BE ENTITLED AN ACT TO ALLOW AN INSANITY HEARING FOR A DEFENDANT FOUND NOT GUILTY BY REASON OF INSANITY TO BE HELD IN THE SAME COUNTY AS THE RESPONDENT'S TRIAL WAS HELD, passes its second reading, by electronic vote (107-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **S.B. 506,** A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, TECHNICAL CHANGES TO VARIOUS PUBLIC HEALTH LAWS, AND TO ESTABLISH A MINIMUM BURIAL DEPTH FOR HUMAN INTERMENT, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 487, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ASSISTANT ADJUTANT GENERAL FOR THE ARMY NATIONAL GUARD SHALL SERVE IN THE MILITARY POSITION OF BRIGADIER GENERAL - LINE, DEPUTY, STATE AREA COMMAND (STARC) COMMANDER, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 295, AN ACT TO ENACT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO CLARIFY THE AUTHORITY OF THE BUILDING CODE COUNCIL TO ADOPT PROVISIONS REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF SMOKE DETECTORS. (CHAPTER 111)

S.B. 583, AN ACT TO ALLOW PERSONAL REPRESENTATIVES OF ESTATES IN THE CITY OF WINSTON-SALEM TO EXPEND ESTATE ASSETS TO PREVENT THE WASTE OF REAL PROPERTY BELONGING TO THE ESTATE. (CHAPTER 112)

S.B. 654, AN ACT AUTHORIZING A ONE-STEP SERVICE PROCESS IN SPECIFIED HOUSING CODE CASES IN THE CITY OF ASHEVILLE. (CHAPTER 113)

H.B. 47, AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE LICENSING OF ELECTRICAL CONTRACTORS. (CHAPTER 114)

H.B. 97, AN ACT TO REMOVE THE SUNSET ON REVERSE MORTGAGES. (CHAPTER 115)

H.B. 235, AN ACT TO MAKE TECHNICAL AND CLARIFYING

CHANGES TO LAWS CONCERNING THE SCHOOL ADMINISTRATOR STANDARDS BOARD AND TO EXTEND TO 1998 THE DATE FOR IMPLEMENTATION OF THE STANDARDS BOARD EXAM. (CHAPTER 116)

H.B. 456, AN ACT TO CREATE THE NORTH CAROLINA PROGRESS BOARD. (CHAPTER 117)

H.B. 470, AN ACT TO MAKE A TECHNICAL CORRECTION TO THE NEW BERN CIVIL SERVICE PROVISIONS FOR POLICE TO DELETE OLD REPEALED MATERIAL INADVERTENTLY APPEARING IN A 1993 REWRITE. (CHAPTER 118)

H.B. 602, AN ACT TO PROVIDE FOR A REFERENDUM ON THE REPEAL OF THE CHARTER OF THE TOWN OF SANDYFIELD. (CHAPTER 119)

H.B. 666, AN ACT TO CHANGE THE PAY DATE FOR THE CHEROKEE COUNTY SCHOOLS. (CHAPTER 120)

H.B. 749, AN ACT TO AMEND THE PROCEDURE FOR SENDING INSURANCE AGENTS AND COMPANIES NOTICES AND REQUESTS FOR CANCELLATION OF INSURANCE CONTRACTS BY INSURANCE PREMIUM FINANCE COMPANIES. (CHAPTER 121)

INTRODUCTION OF PAGES

Pages for the week of May 29 - June 1 are introduced to the membership. They are: Jacob Adams of Harnett; Erin Allred of Alamance; Valerie Brooks of Alamance; Bobby Carter of Caswell; Selena Cobb of Caswell; Jacob Cobb of Caswell; Ginger Coble of New Hanover; Tiffany Edwards of Franklin; Ray Ellington, Jr. of Vance; Jennifer Evans of Alamance; April Hughes of Forsyth; Meleaha Kimrey of Alamance; Cherith Norman of Franklin; Julie Oakley of Granville; Michael Oldham of New Hanover; Richard Pahnke, Jr. of Wake; Benjamin Phillips of Caswell; Sarah Sherfey of Vance; Kathy Thomas of Harnett; Sim Wilkes of Guilford; Brad Worley of Vance; and Wayne Yount of Granville.

On motion of Representative Morgan, seconded by Representative Hackney, the House adjourns at 7:46 p.m. to reconvene May 30 at 1:30 p.m.

SEVENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 30, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Rabbi Jonathan Perlman, Beth Meyer Synagogue, Raleigh, North Carolina.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 29 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-1).

Leaves of absence are granted Representatives Fitch, McCrary, Neely, and G. Robinson for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 487, AN ACT TO PROVIDE THAT THE ASSISTANT ADJUTANT GENERAL FOR THE ARMY NATIONAL GUARD SHALL SERVE IN THE MILITARY POSITION OF BRIGADIER GENERAL - LINE, DEPUTY, STATE AREA COMMAND (STARC) COMMANDER. (CHAPTER 122)

S.B. 506, AN ACT TO MAKE CLARIFYING, TECHNICAL CHANGES TO VARIOUS PUBLIC HEALTH LAWS, AND TO ESTABLISH A MINIMUM BURIAL DEPTH FOR HUMAN INTERMENT. (CHAPTER 123)

H.B. 178, AN ACT TO PROVIDE THAT SCOTLAND COUNTY AND THE CITIES LOCATED IN THAT COUNTY MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING. (CHAPTER 124)

H.B. 492, AN ACT TO ALLOW THE TOWN OF CLAYTON TO USE THE SINGLE-PRIME CONTRACTOR OR THE NEGOTIATION METHOD OF CONSTRUCTING THE HOCUTT-ELLINGTON LIBRARY ADDITION. (CHAPTER 125)

H.B. 520, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WAYNESVILLE. (CHAPTER 126)

H.B. 751, AN ACT TO ALLOW A CONTRACT BETWEEN A REAL ESTATE BROKER AND REAL ESTATE SALESMAN TO INCLUDE A PROVISION TO REIMBURSE THE REAL ESTATE BROKER FOR THE COST OF INCLUDING THE SALESMAN UNDER THE BROKER'S WORKERS' COMPENSATION COVERAGE OF THE BROKER'S BUSINESS. (CHAPTER 127)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 556,** A BILL TO BE ENTITLED AN ACT TO ENABLE JOINT MUNICIPAL POWER AGENCIES TO EFFECT CORPORATE REORGANIZATION AND TO MAKE TECHNICAL CHANGES TO THE STATUTES GOVERNING JOINT MUNICIPAL POWER AGENCIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 31.

H.B. 676, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ESTABLISHMENT OF AN OUTER BANKS BEAUTIFICATION DISTRICT AND PROVIDE FOR THE LEVY AND COLLECTION OF PROPERTY TAXES IN THE DISTRICT, SUBJECT TO APPROVAL OF THE VOTERS OF THE DISTRICT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 31.

Committee Substitute for **H.B. 761,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSURE OF FOREIGN LEGAL

CONSULTANTS AND TO AUTHORIZE FOREIGN LEGAL CONSULTANTS TO ENGAGE IN A LIMITED PRACTICE OF LAW IN NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 31.

Committee Substitute for **H.B. 825,** A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 31.

H.B. 1018, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS OPERATING LOCAL CONFINEMENT FACILITIES TO CHARGE FEES FOR NONEMERGENCY MEDICAL CARE PROVIDED TO PRISONERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 31.

Committee Substitute for **S.B. 154,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM PROPERTY DAMAGE AMOUNT FOR A REPORTABLE MOTOR VEHICLE ACCIDENT AND TO RESOLVE INCONSISTENCIES IN THE LAW CONCERNING ACCIDENT REPORTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 31.

S.B. 556, A BILL TO BE ENTITLED AN ACT TO SPECIFY HOW THE PROCEEDS OF THE BURKE OCCUPANCY TAX SHALL BE DIVIDED BETWEEN THE TWO PURPOSES FOR WHICH THEY MAY BE USED, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 31.

By Representative Daughtry for the Committee on Judiciary I:

S.B. 772, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE OFFICE OF ADMINISTRATIVE HEARINGS MEDIATION PROGRAM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 31.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 702, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE TOWN OF PEMBROKE IN PURCHASING A REPLACEMENT FIRE TRUCK, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

S.B. 296, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 31.

S.B. 664, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF PLYMOUTH, with a favorable report.

On motion of the Chair, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 517, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN VANCE COUNTY BY PROVIDING FOR REGISTRATION AT ANY TIME AND BY ELIMINATING THE REQUIREMENT THAT REGISTRATION BE RENEWED ANNUALLY, is returned for concurrence in Senate amendment and placed on the Calendar for May 31.

Senate Committee Substitute for **H.B. 578,** A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE SALISBURY GEOGRAPHICAL INFORMATION SYSTEM, is returned for concurrence in Senate committee substitute and placed on the Calendar for May 31.

Upon concurrence, the Senate committee substitute changes the title.

H.B. 592, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN GRANVILLE COUNTY BY PROVIDING FOR REGISTRATION AT ANY TIME, BY ELIMINATING THE REQUIREMENT THAT REGISTRATION BE RENEWED ANNUALLY, AND BY PROVIDING THAT A REGISTRANT MUST FURNISH THE POSTED NOTICES REQUIRED TO COMPLY WITH THE LAW, is returned for concurrence in Senate amendment and placed on the Calendar for May 31.

Committee Substitute for **H.B. 606,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTIES OF THE TRUSTEE OF AN IRREVOCABLE LIFE INSURANCE TRUST, is returned for concurrence in Senate amendment and placed on the Calendar for May 31.

Senate Committee Substitute for **H.B. 638,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF SANFORD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY AT PRIVATE SALE, is returned for concurrence in Senate committee substitute and placed on the Calendar for May 31.

Upon concurrence, the Senate committee substitute changes the title.

CALENDAR

Action is taken on the following:

H.R. 688, A HOUSE RESOLUTION TO ESTABLISH THE HOUSE SELECT INVESTIGATIVE COMMITTEE ON CERTIFICATES OF NEED.

The resolution is adopted, by electronic vote (109-0), and ordered printed.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 384,** A BILL TO BE ENTITLED AN ACT RELATING TO PYROTECHNICS IN FORSYTH COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 476, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE ASHE COUNTY BOARD OF EDUCATION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 997, A BILL TO BE ENTITLED AN ACT TO ADD ACQUISITION OF LAND FOR LANDFILLS TO THE LIST OF PURPOSES FOR WHICH LOCAL GOVERNMENTS MAY ISSUE SPECIAL OBLIGATION BONDS OR OBTAIN FINANCING UNDER THE SOLID WASTE MANAGEMENT LOAN PROGRAM, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: Representative K. Miller.

Excused absences: Representatives Fitch, McCrary, Neely, and G. Robinson - 4.

H.B. 1013, A BILL TO BE ENTITLED AN ACT TO LEVY AN EXCISE TAX ON ILLEGAL SPIRITUOUS LIQUOR, AN EXCISE TAX ON MASH, AND AN EXCISE TAX ON ILLEGAL MIXED BEVERAGES,

passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representative Linney.

Excused absences: Representatives Fitch, McCrary, Neely, and G. Robinson - 4.

S.B. 1046, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE STATE NATURE AND HISTORIC PRESERVE AND TO AUTHORIZE THE DELETION OF VARIOUS PROPERTIES FROM THE STATE PARKS SYSTEM, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers,

Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: Representative Hensley.

Excused absences: Representatives Fitch, McCrary, Neely, and G. Robinson - 4.

House Committee Substitute for **S.B. 649,** A BILL TO BE ENTITLED AN ACT CONCERNING SWEET POTATOES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Fitch, McCrary, Neely, and G. Robinson - 4.

Representative Pate states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (114-0).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 926,** A BILL TO BE ENTITLED AN

ACT TO PROVIDE FOR THE REGISTRATION OF ESTHETICIANS AND ESTHETICIAN APPRENTICES BY THE STATE BOARD OF COSMETIC ART EXAMINERS.

On motion of Representative Russell and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Objection having been raised, pursuant to Rule 40(b), **S.B. 482,** A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN MISCELLANEOUS AMENDMENTS TO THE BANKING LAWS, is removed from today's Consent Calendar and placed on the regular Calendar.

Representative Edwards requests that he be excused from voting on this bill under Rule 24.1A, because he is a director and stockholder of Wachovia Bank, and this request is granted.

The bill passes its third reading, by electronic vote (113-0), and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 168,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF CHILD SUPPORT BY CREATING ADDITIONAL REMEDIES, passes its second reading by electronic vote (109-1).

Representative Allred objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 884, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PREPARATION OF FIRE SPRINKLER PLANNING AND DESIGN DRAWINGS BY A LICENSED FIRE SPRINKLER CONTRACTOR UNDER THE ENGINEERING AND LAND SURVEYING ACT, passes its second reading by electronic vote (79-32).

Representative McLaughlin objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 180,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE PAYMENT AND REPORTING REQUIREMENTS AND THE COLLECTION PROCEDURES FOR UNEMPLOYMENT CONTRIBUTIONS AND TO PROVIDE FOR A REDUCTION IN THESE CONTRIBUTIONS IN CERTAIN CIRCUMSTANCES.

On motion of Representative Gray, consideration of the bill is postponed until May 31.

Objection having been raised, pursuant to Rule 40(b), **S.B. 918,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF EDUCATION TO AUTHORIZE THE EMERGENCY CLOSING OF INDIVIDUAL SCHOOLS, is removed from today's Consent Calendar and placed on the regular Calendar.

The bill passes its second reading, by electronic vote (110-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 707,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE SHARE OF AFTER-BORN OR AFTER-ADOPTED CHILDREN, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (110-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

RE-REFERRALS

On motion of Representative J. Brown and without objection, Committee Substitute for **S.B. 200,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CIVIL PENALTIES FOR VIOLATIONS OF THE GASOLINE AND OIL INSPECTION LAW, THE MEAT INSPECTION LAW, AND THE ANIMAL WELFARE AND ANIMAL HEALTH LAWS, is withdrawn from the Committee on Agriculture and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Creech and without objection, **H.B. 725,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO

CONTINUE SUPPORT FOR THE CAROLINA CHILDREN'S COMMUNICATIVE DISORDERS PROGRAM TO IMPLEMENT THE COCHLEAR IMPLANT PROCEDURE AND OTHER SERVICES FOR DEAF CHILDREN, is withdrawn from the Committee on Appropriations, Subcommittee on Human Resources, and re-referred to the Committee on Appropriations, Subcommittee on Education.

On motion of Representative Morgan, seconded by Representative Alexander, the House adjourns at 2:34 p.m. to reconvene May 31 at 1:30 p.m.

SEVENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 31, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, I guess that love and law may not seem to go together, but every Representative here is human and loves someone and is loved. And, if you love someone, the thing you need most to do is to tell them so. Several years ago now I had come into the house at mid-morning because I needed a little break from the stress and pressure of my work. I was just beginning to relax when someone knocked at my study door. Rather gruffly I said, 'Well who is it?' My little daughter peeked shyly under the door knob. 'What do you want?', I asked. She replied, 'You are up and gone in the morning, Daddy, before I get up, and you are out at night until after I have gone to bed, and I haven't seen you all week. I just need to love you a little.' I dropped to my knees and folded her into my arms. 'I love you, Daddy,' a sweet wet kiss on my cheek and she was gone. I stayed on my knees. 'Lord Jesus, I've been so busy, I'm all tied up in knots inside, maybe what I need is just to say, I love you,' and that's what I did. 'Thank You, Lord, for saving my soul; thank You, Lord, for making me whole. Thank You Lord for giving to me Thy great salvation so full and free.' And, there on my knees, I felt rested and cleansed. Father, we are reminded daily that this business of lawmaking requires work and wisdom, intelligence and insight, education and endurance, and all the craft of science and the arts. But remind us too, that we are human

and when it comes to matters of the heart, there can be no substitute for that marvelous mystery called love. Through Christ our Lord we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 30 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (90-0).

Leaves of absence are granted Representatives Fitch and Mercer for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 476, AN ACT TO CHANGE THE MANNER OF ELECTION OF THE ASHE COUNTY BOARD OF EDUCATION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION. (CHAPTER 128)

S.B. 482, AN ACT TO MAKE CERTAIN MISCELLANEOUS AMENDMENTS TO THE BANKING LAWS. (CHAPTER 129)

S.B. 918, AN ACT TO PERMIT THE STATE BOARD OF EDUCATION TO AUTHORIZE THE EMERGENCY CLOSING OF INDIVIDUAL SCHOOLS. (CHAPTER 130)

S.B. 1046, AN ACT TO REMOVE CERTAIN PROPERTY FROM THE STATE NATURE AND HISTORIC PRESERVE AND TO AUTHORIZE THE DELETION OF VARIOUS PROPERTIES FROM THE STATE PARKS SYSTEM. (CHAPTER 131)

S.B. 542, AN ACT TO PROVIDE FOR THE NONPARTISAN ELECTION OF THE CATAWBA COUNTY BOARD OF EDUCATION BY PLURALITY VOTE AT THE TIME OF THE COUNTY GENERAL ELECTION. (CHAPTER 132)

H.B. 69, AN ACT TO ALLOW THE TOWN OF BEECH MOUNTAIN TO MAKE STREET ASSESSMENTS WITHOUT FIRST RECEIVING A PETITION. (CHAPTER 133)

H.B. 133, AN ACT TO ENABLE THE COUNTY OF COLUMBUS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY. (CHAPTER 134)

H.B. 136, AN ACT TO MAKE PERMANENT THE EXEMPTION FOR REAL ESTATE ACQUIRED BY THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT THAT IT BE APPRAISED BY A LICENSED OR CERTIFIED APPRAISER WHEN THE ESTIMATED VALUE OF THE REAL ESTATE IS LESS THAN TEN THOUSAND DOLLARS. (CHAPTER 135)

H.B. 301, AN ACT TO PROVIDE FOR THE AWARD OF STATE REQUIREMENTS CONTRACTS FOR FURNITURE. (CHAPTER 136)

H.B. 400, AN ACT TO AUTHORIZE THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS TO SEEK INJUNCTIVE RELIEF. (CHAPTER 137)

H.B. 464, AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF HOPE MILLS A DESCRIBED TERRITORY. (CHAPTER 138)

H.B. 680, AN ACT TO INCORPORATE THE TOWN OF MULBERRY-FAIRPLAINS. (CHAPTER 139)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 430, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A COURT MAY ORDER PAYMENT OF A FEE TO THE VICTIMS COMPENSATION FUND BY A DEFENDANT PLACED ON PROBATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 85, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HONORARY TRUSTS, TRUSTS FOR PETS, AND TRUSTS FOR CEMETERY LOTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 987, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSE OF CONTINUING CRIMINAL ENTERPRISE WITH REGARD TO CRIMINAL OFFENSES THAT ARE NOT DRUG OFFENSES, TO CREATE THE FELONY STATUS OFFENSE OF HABITUAL THIEF, AND TO PROVIDE THAT FAILURE OF AN ITINERANT MERCHANT TO KEEP A RECEIPT OR INVOICE WITH CERTAIN INFORMATION INDICATING THE SOURCE OF THE MERCHANT'S PRODUCTS AND TO SHOW THE RECEIPT OR INVOICE TO A LAW ENFORCEMENT OFFICER UPON REQUEST IS PRIMA FACIE EVIDENCE THAT THE PRODUCTS ARE STOLEN, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair and without objection, the House committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

S.B. 83, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM STATUTORY RULE AGAINST PERPETUITIES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 1.

By Representative G. Wilson for the Permanent Subcommittee on Labor Relations and Employment:

H.B. 143, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FIVE PERCENT REDUCTION IN WORKERS' COMPENSATION INSURANCE TO EMPLOYERS WHO IMPLEMENT AN APPROVED DRUG-FREE WORKPLACE PROGRAM AND TO PROVIDE REQUIREMENTS FOR A DRUG-FREE WORKPLACE PROGRAM THAT WILL ENABLE AN

EMPLOYER TO QUALIFY FOR THIS REDUCTION IN INSURANCE PREMIUMS, reported to the Standing Committee on Business and Labor with no action taken.

H.B. 779, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA BOARD OF EMPLOYEE ASSISTANCE PROFESSIONALS AND TO PROVIDE FOR THE LICENSING OF EMPLOYEE ASSISTANCE PROFESSIONALS, reported to the Standing Committee on Business and Labor with no action taken.

By Representative Wood for the Committee on Education:

S.B. 20, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL IMPROVEMENT AND ACCOUNTABILITY ACT OF 1989, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 21,** A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL BOARDS OF EDUCATION TO USE FUNDS APPROPRIATED FOR TEACHER ASSISTANTS AND FOR PROGRAM ENHANCEMENT TEACHERS TO REDUCE CLASS SIZE PURSUANT TO LOCAL SCHOOL IMPROVEMENT PLANS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

Committee Substitute for **S.B. 166,** A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS OF LAW THAT REGULATE ATTORNEYS-AT-LAW, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 81, A BILL TO BE ENTITLED AN ACT TO ENACT THE REVISED ARTICLE 3 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO ARTICLES 1 AND 4 OF THE UNIFORM COMMERCIAL CODE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 74, A BILL TO BE ENTITLED AN ACT TO ALLOW RESIDENTS OF THE EXTRATERRITORIAL PLANNING JURISDICTION OF A CITY TO VOTE IN ELECTIONS OF THAT CITY, reported without prejudice as to committee substitute bill, which changes the title, unfavorable as to original bill, and with recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 694, A BILL TO BE ENTITLED AN ACT TO MAKE FURTHER AMENDMENTS TO THE RALEIGH CITY CHARTER, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 134,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MOTOR VEHICLE LAWS AND OTHER LAWS CONCERNING THE DEPARTMENT OF TRANSPORTATION, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 1.

Committee Substitute for **S.B. 174,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR NOTIFICATION TO OWNERS AND RESIDENTS OF LAND ADJOINING LAND ON WHICH A PESTICIDE IS APPLIED BY AERIAL APPLICATION OF THE AERIAL APPLICATION OF THE PESTICIDE, is read the first time and referred to the Committee on Agriculture.

Committee Substitute for **S.B. 662,** A BILL TO BE ENTITLED AN ACT TO ALLOW RICHMOND COUNTY TO CREATE FIRE PROTECTION DISTRICTS IN WHICH FIRE PROTECTION IS FUNDED BY FEES RATHER THAN TAXES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

H.B. 517, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN VANCE COUNTY BY PROVIDING FOR REGISTRATION AT ANY TIME AND BY ELIMINATING THE REQUIREMENT THAT REGISTRATION BE RENEWED ANNUALLY.

On motion of Representative Fox, the House concurs in the Senate amendment, which changes the title, by electronic vote (108-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 578,** A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE SALISBURY GEOGRAPHICAL INFORMATION SYSTEM.

On motion of Representative Gardner, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (108-0), and the bill is ordered enrolled.

H.B. 592, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN GRANVILLE COUNTY BY PROVIDING FOR REGISTRATION AT ANY TIME, BY ELIMINATING THE REQUIREMENT THAT REGISTRATION BE RENEWED ANNUALLY, AND BY PROVIDING THAT A REGISTRANT MUST FURNISH THE

POSTED NOTICES REQUIRED TO COMPLY WITH THE LAW.

On motion of Representative Fox, the House concurs in the Senate amendment, by electronic vote (108-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 638,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF SANFORD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY AT PRIVATE SALE.

On motion of Representative W. Brown, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (108-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 606,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTIES OF THE TRUSTEE OF AN IRREVOCABLE LIFE INSURANCE TRUST.

On motion of the Chair, the bill is temporarily displaced.

H.B. 676, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ESTABLISHMENT OF AN OUTER BANKS BEAUTIFICATION DISTRICT AND PROVIDE FOR THE LEVY AND COLLECTION OF PROPERTY TAXES IN THE DISTRICT, SUBJECT TO APPROVAL OF THE VOTERS OF THE DISTRICT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Edwards, Ellis, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: Representatives Allred, Cocklereece, Cummings,

and Eddins - 4.

Excused absences: Representatives Fitch and Mercer - 2.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, **S.B. 296,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES, is withdrawn from the Calendar and placed on the Calendar of June 1.

On motion of Representation Morgan and without objection, Committee Substitute No. 2 for **H.B. 5,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PUBLIC ASSISTANCE PERSONAL AND FAMILY RESPONSIBILITY ACT OF 1995 AND TO REAUTHORIZE THE LEGISLATIVE STUDY COMMISSION ON WELFARE REFORM, is withdrawn from the Calendar and placed on the Calendar of June 8.

CALENDAR (continued)

S.B. 556, A BILL TO BE ENTITLED AN ACT TO SPECIFY HOW THE PROCEEDS OF THE BURKE OCCUPANCY TAX SHALL BE DIVIDED BETWEEN THE TWO PURPOSES FOR WHICH THEY MAY BE USED, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 556,** A BILL TO BE ENTITLED AN ACT TO ENABLE JOINT MUNICIPAL POWER AGENCIES TO EFFECT CORPORATE REORGANIZATION AND TO MAKE TECHNICAL CHANGES TO THE STATUTES GOVERNING JOINT MUNICIPAL POWER AGENCIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Hackney,

Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Fitch and Mercer - 2.

Committee Substitute for **H.B. 761,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSURE OF FOREIGN LEGAL CONSULTANTS AND TO AUTHORIZE FOREIGN LEGAL CONSULTANTS TO ENGAGE IN A LIMITED PRACTICE OF LAW IN NORTH CAROLINA, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Fitch and Mercer - 2.

Committee Substitute for **H.B. 825,** A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE

OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS.

Representative H. Hunter requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Culp, Committee Amendment No. 1 is adopted by electronic vote (109-0).

On motion of Representative Culp, Committee Amendment No. 2 is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representatives Linney and Michaux - 2.

Excused vote: Representative H. Hunter.

Excused absences: Representatives Fitch and Mercer - 2.

H.B. 1018, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS OPERATING LOCAL CONFINEMENT FACILITIES TO CHARGE FEES FOR NONEMERGENCY MEDICAL CARE PROVIDED TO PRISONERS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Fitch and Mercer - 2.

House Committee Substitute for **S.B. 886,** A BILL TO BE ENTITLED AN ACT TO AMEND THE HOSPITAL COOPERATION ACT REGARDING COOPERATIVE AGREEMENTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representative Linney.

Excused absences: Representatives Fitch and Mercer - 2.

Committee Substitute for **S.B. 154,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM PROPERTY DAMAGE AMOUNT FOR A REPORTABLE MOTOR VEHICLE ACCIDENT AND TO RESOLVE INCONSISTENCIES IN THE LAW CONCERNING ACCIDENT REPORTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absences: Representatives Fitch and Mercer - 2.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute No. 2 for **H.B. 168**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF CHILD SUPPORT BY CREATING ADDITIONAL REMEDIES, is withdrawn from the Calendar and placed on the Calendar of June 8.

CALENDAR (continued)

S.B. 884, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PREPARATION OF FIRE SPRINKLER PLANNING AND DESIGN DRAWINGS BY A LICENSED FIRE SPRINKLER CONTRACTOR UNDER THE ENGINEERING AND LAND SURVEYING ACT, passes its

third reading, by electronic vote (89-24), and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 679, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN ACTIONS OF WATER AND SEWER DISTRICTS.

On motion of Representative Daughtry, Committee Amendment No. 1 is adopted by electronic vote (114-0).

Representative Hayes offers Amendment No. 2.

On motion of Representative Daughtry, the bill with pending Amendment No. 2, is temporarily displaced.

Committee Substitute for **H.B. 606,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTIES OF THE TRUSTEE OF AN IRREVOCABLE LIFE INSURANCE TRUST, which was temporarily displaced, is before the Body.

On motion of Representative Neely, the House concurs in the Senate amendment, by electronic vote (112-0), and the bill is ordered enrolled.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hensley and without objection, **S.B. 379,** A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON THE JUVENILE CODE TO ALLOW COURTS TO ORDER PSYCHIATRIC OR PSYCHOLOGICAL TREATMENT OF PARENTS OF JUVENILES ADJUDICATED DELINQUENT, UNDISCIPLINED, ABUSED, NEGLECTED, OR DEPENDENT AT THE DISPOSITIONAL HEARINGS OR SUBSEQUENT HEARINGS AND TO PROVIDE FOR NOTICE, is withdrawn from the Calendar and placed on the Calendar of June 1.

CALENDAR (continued)

House Committee Substitute for **S.B. 259,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL LIABILITY FOR LARCENY, SHOPLIFTING, EMBEZZLEMENT, AND OBTAINING PROPERTY BY FALSE PRETENSE AND TO PROTECT MERCHANTS AND PEACE OFFICERS FROM CIVIL LIABILITY FOR DETENTION OR ARREST OF

PERSONS ACCUSED OF LARCENY OR SHOPLIFTING WHILE ON STORE PREMISES, passes its second reading by electronic vote (87-22).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 501, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PARENTS OF A DEPENDENT CHILD WHO IS THE PARENT OF A DEPENDENT CHILD TO CONTRIBUTE TO THE SUPPORT OF THEIR GRANDCHILD, passes its second reading by electronic vote (94-11).

Representative Barnes objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 180,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE PAYMENT AND REPORTING REQUIREMENTS AND THE COLLECTION PROCEDURES FOR UNEMPLOYMENT CONTRIBUTIONS AND TO PROVIDE FOR A REDUCTION IN THESE CONTRIBUTIONS IN CERTAIN CIRCUMSTANCES, passes its second reading by electronic vote (108-1), and there being no objection is read a third time.

Representative C. Wilson offers Amendment No. 1 which is adopted by electronic vote (113-0).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 344,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE REQUIREMENTS FOR CERTIFICATION TO TEACH NOTARY COURSES, TO ALLOW REVOCATION OF NOTARIAL COMMISSIONS FOR NOTARIES WHO FAIL TO ADMINISTER OATHS OR AFFIRMATIONS, TO PROVIDE THAT APPLICANTS FOR RECOMMISSIONING NEED NOT OBTAIN THE RECOMMENDATION OF A PUBLICLY ELECTED OFFICIAL, AND TO ALLOW THE SECRETARY OF STATE LAW ENFORCEMENT AGENTS TO ENFORCE THE NOTARY CHAPTER, passes its second reading by electronic vote (106-8).

Representative K. Miller objects to the third reading. The bills remains

on the Calendar.

S.B. 772, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE OFFICE OF ADMINISTRATIVE HEARINGS MEDIATION PROGRAM, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Daughtry and without objection, **S.B. 679,** A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN ACTIONS OF WATER AND SEWER DISTRICTS, and pending Amendment No. 2, which was temporarily displaced, is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 977, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO REQUIRE LIFE PRESERVERS IN ALL VESSELS, with a favorable report as to committee substitute joint resolution, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute joint resolution be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute joint resolution is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

S.B. 681, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH GREENSBORO MAY USE THE PROCEEDS OF ITS LOCAL OCCUPANCY TAX, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 706, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CABARRUS COUNTY TO ESTABLISH AN AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) AND FOOD STAMP WORKFARE PILOT PROGRAM AND AN ADJUNCT DEMONSTRATION PROGRAM MODIFYING THE JOBS PROGRAM, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Kiser, Committee Amendment No. 1 is adopted by electronic vote (107-0).

The bill, as amended, is re-referred to the Committee on Appropriations.

S.B. 717, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE MOORE COUNTY BOARD OF COMMISSIONERS TO REDISTRICT THEIR RESIDENCY DISTRICTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative McCombs for the Committee on Pensions and Retirement:

H.B. 938, A BILL TO BE ENTITLED AN ACT TO ROLL BACK THE PERMANENT SALARY INCREASE FOR MEMBERS OF THE GENERAL ASSEMBLY FOR THE 1994-95 FISCAL YEAR TO BE THE SAME AS FOR STATE EMPLOYEES GENERALLY, AND TO PROVIDE THAT TO THE EXTENT POSSIBLE, EXPENSE ALLOWANCES ARE NOT INCLUDED IN THE BASIS FOR COMPUTING LEGISLATIVE RETIREMENT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S.B. 428, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE SUPPLEMENTAL WELFARE FUND FOR FIREMEN IN FORSYTH COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 1.

Committee Substitute for **S.B. 543,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SWORN AND CERTIFIED JAILERS AND TELECOMMUNICATORS EMPLOYED BY THE CATAWBA COUNTY SHERIFF'S DEPARTMENT ARE ELIGIBLE TO RECEIVE THE BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 123,** A BILL TO BE ENTITLED AN ACT TO REVISE THE CONTROLLED SUBSTANCE EXCISE TAX, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 1.

H.B. 390, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENTS PROJECT AT APPALACHIAN STATE UNIVERSITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 1.

Committee Substitute No. 2 for **H.B. 576,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUMMERFIELD, SUBJECT TO A REFERENDUM, with a favorable report as to Committee Substitute Bill No. 3, unfavorable as to Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), Committee Substitute Bill No. 3 is placed on the Calendar. Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 483,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INSPECTION OF BISON MEAT THAT IS TO BE USED AS FOOD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 981, A JOINT RESOLUTION HONORING THE MEMORY OF UNDERAGE MILITARY VETERANS WHO DIED SERVING THEIR COUNTRY AND COMMENDING THE VETERANS OF UNDERAGE MILITARY SERVICE, INC., with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.J.R. 1055, A JOINT RESOLUTION RECOGNIZING THE ONE HUNDREDTH YEAR OF WOMEN SERVING IN STATE LEGISLATURES AND THE MANY CONTRIBUTIONS WOMEN SERVING OR FORMERLY SERVING, IN VARIOUS CAPACITIES IN THE GENERAL ASSEMBLY OF THE STATE OF NORTH CAROLINA HAVE MADE TO OUR LEGISLATIVE PROCESS, AND HONORING NORTH CAROLINA'S WOMEN LEGISLATORS WHO ARE NOW DECEASED, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.J.R. 1068, A JOINT RESOLUTION HONORING THE MEMORY OF STEPHEN CABARRUS AND THE CITY OF CONCORD AS IT PREPARES FOR ITS BICENTENNIAL OBSERVANCE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 575, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE LEGISLATIVE ETHICS COMMITTEE, TO DESIGNATE COMMITTEE COCHAIRS FROM EACH LEGISLATIVE CHAMBER, AND TO MAKE CONFORMING CHANGES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 1.

S.J.R. 945, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 1.

S.B. 317, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ADVISORY COMMITTEE ON HOME AND COMMUNITY CARE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 1.

S.B. 496, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL GOVERNMENTS TO FORGO COLLECTION OF AD VALOREM TAX BILLS WHEN THE ORIGINAL PRINCIPAL AMOUNT DUE IS UNDER FIVE DOLLARS, reported without prejudice, and with recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.J.R. 538, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO CONSIDER ACTION ON THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 1.

By Representative Nichols for the Committee on Health and Environment:

S.B. 643, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRIOR NOTICE OF SEWER SYSTEM MORATORIA TO THE AFFECTED UNIT OF GOVERNMENT AND TO THE PUBLIC, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 764, A BILL TO BE ENTITLED AN ACT TO MAKE ADJUSTMENTS IN THE DEER MANAGEMENT ASSISTANCE PROGRAM OF THE WILDLIFE RESOURCES COMMISSION, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar for June 5.

S.B. 1001, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF THE BEACH ACCESS PROGRAM TO PROJECTS DESIGNED TO PROVIDE ACCESS TO COASTAL WATERS, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar for June 5.

S.B. 1041, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MINIMUM STREAMFLOW IN THE LENGTH OF THE STREAM AFFECTED BY CERTAIN DAMS OPERATED BY SMALL HYDROELECTRIC POWER PRODUCERS AND TO PROVIDE THAT THE MINIMUM STREAMFLOWS THUS SPECIFIED ARE THE POLICY OF THE STATE FOR SUCH DAMS, WHETHER OR NOT A PARTICULAR DAM IS SUBJECT TO THE DAM SAFETY LAW OF 1967, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar for June 5.

On motion of the Chair, the House recesses at 3:20 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Nichols for the Committee on Health and Environment:

H.B. 836, A BILL TO BE ENTITLED AN ACT TO EXPEDITE THE ENVIRONMENTAL PERMITTING PROCESS BY ALLOWING THE OPTION OF SUBMITTING PERMIT APPLICATIONS CERTIFIED BY A PROFESSIONAL ENGINEER AND ALLOWING THESE APPLICATIONS TO BE IMMEDIATELY SENT TO PUBLIC NOTICE AND HEARING AND SUBJECTED TO SIMULTANEOUS TECHNICAL REVIEW, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 449, A BILL TO BE ENTITLED AN ACT RELATING TO PRACTICE RESTRICTIONS IMPOSED ON HEALTH CARE WORKERS WHO ARE INFECTED WITH HIV OR HEPATITIS B, with a favorable report, and having received a unanimous vote in committee, is placed on the

Consent Calendar of June 5.

S.B. 890, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF CARDIAC REHABILITATION PROGRAM AND TO MAKE CONFORMING CHANGES TO THE LAW GOVERNING CARDIAC REHABILITATION PROGRAMS, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar of June 5.

By Representative Wood for the Committee on Education:

Committee Substitute for **S.B. 15,** A BILL TO BE ENTITLED AN ACT TO FURTHER STREAMLINE THE STATUTES SO AS TO CLARIFY THE CONSTITUTIONAL ROLE OF THE STATE BOARD OF EDUCATION, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.B. 755, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DESIGNATED LEGISLATIVE MEMBERSHIP OF THE COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Miner for the Committee on Transportation:

H.B. 585, A BILL TO BE ENTITLED AN ACT TO MAKE FAILURE TO DISCLOSE THAT THE AIR BAGS HAVE NOT BEEN REPLACED ON A DAMAGED MOTOR VEHICLE A MISDEMEANOR, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 1058, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE TAX LAW IN LIGHT OF FEDERAL LAW PREEMPTING STATE REGULATION OF MOST MOTOR FREIGHT CARRIERS, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Buchanan, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Finance.

S.B. 155, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A TEMPORARY LICENSE PLATE THAT IS VALID FOR UP TO SIXTY DAYS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Allred for the Permanent Subcommittee on Economic Expansion and Growth:

S.B. 1042, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS REGARDING GUARANTEED ENERGY SAVINGS CONTRACTS IN ORDER TO ENHANCE THE VIABILITY OF GUARANTEED ENERGY SAVINGS CONTRACTS BY LOCAL GOVERNMENTAL UNITS AND TO REPEAL THE SUNSET FOR LOCAL GOVERNMENTAL UNITS TO ENTER INTO THESE CONTRACTS, reported to the Standing Committee on Business and Labor with a favorable recommendation as to proposed House committee substitute bill, unfavorable as to original bill.

On motion of Representative Morgan, seconded by Representative Wilkins, the House adjourns at 6:07 p.m. to reconvene June 1, at 1:30 p.m.

SEVENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 1, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Heavenly Father, I had a strange experience Monday evening when I parked outside this place. There was not one soul on the street or outside this building, just one old squirrel picking through the grass. I sat there five minutes and nobody was in sight. I thought of Judgment Day. Your Word says that we will all appear before You to give an account of ourselves. (Romans 14:12) You are my friend Lord, but my Judge too, kinda like my Dad, but more so. Those men gone before us Lord, You judge them too, Governor Ehringhaus, that's a name, then Hoey with his split tail coat and red tie, Cherry, and Scott, the road paver, and Governor Hodges, always sounded to me like he had a mouth full of gold dollars. Seems like we are always being judged Lord, me, every sermon I've ever preached. These Representatives, every bill, every amendment, every debate. But, then, I guess that's just the way it goes, and some accountability is probably good for all of us. This place with nobody around it or in it is as spooky as an empty church. 'Well, Mr. Squirrel, I had better see if I can find somebody. What these folks are doing is mighty important. Mr. Brubaker will be saying, clear the floor, close the door, - our prayer - that's me, so keep it short stupid.' By the way, Father, Amy Jo is being married this weekend and all of us pray for her and her fiance a life of growing love, beautiful friendship, joy, and peace. Thank you Father. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 31 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (86-0).

Leaves of absence are granted Representatives Bowie, Boyd-McIntyre, Decker, Dickson, Fitch, and Hiatt for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 312, AN ACT TO ALLOW AN INSANITY HEARING FOR A DEFENDANT FOUND NOT GUILTY BY REASON OF INSANITY TO BE

HELD IN THE SAME COUNTY AS THE RESPONDENT'S TRIAL WAS HELD. (CHAPTER 140)

S.B. 405, AN ACT TO AMEND THE STATE PERSONNEL ACT RELATING TO THE DEFINITION OF CAREER STATE EMPLOYEE, THE GROUNDS FOR STATE EMPLOYEE APPEALS, THE INVESTIGATORY DUTIES OF THE OFFICE OF STATE PERSONNEL, AND THE PRIORITY CONSIDERATION OF STATE EMPLOYEES IN FILLING VACANCIES; TO PROVIDE FOR THE ADOPTION OF AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE BY THE STATE PERSONNEL COMMISSION; AND TO ALLOW ALTERNATIVE OBSERVANCE OF THE NEW YEAR'S HOLIDAY. (CHAPTER 141)

S.B. 413, AN ACT TO AUTHORIZE THE CONVERSION OF SAVINGS ASSOCIATIONS AND SAVINGS BANKS INTO COMMERCIAL BANKS. (CHAPTER 142)

S.B. 556, AN ACT TO SPECIFY HOW THE PROCEEDS OF THE BURKE OCCUPANCY TAX SHALL BE DIVIDED BETWEEN THE TWO PURPOSES FOR WHICH THEY MAY BE USED. (CHAPTER 143)

S.B. 582, AN ACT TO PERMIT THE CITIES OF CHARLOTTE, WILMINGTON AND WINSTON-SALEM; THE TOWNS OF ATLANTIC BEACH AND CHAPEL HILL; AND NEW HANOVER COUNTY TO REGULATE BY ORDINANCE THE POSSESSION OF MALT BEVERAGES AND UNFORTIFIED WINE. (CHAPTER 144)

S.B. 772, AN ACT TO REMOVE THE SUNSET FROM THE OFFICE OF ADMINISTRATIVE HEARINGS MEDIATION PROGRAM. (CHAPTER 145)

S.B. 884, AN ACT TO ALLOW THE PREPARATION OF FIRE SPRINKLER PLANNING AND DESIGN DRAWINGS BY A LICENSED FIRE SPRINKLER CONTRACTOR UNDER THE ENGINEERING AND LAND SURVEYING ACT. (CHAPTER 146)

H.B. 82, AN ACT TO ALLOW MEMBERS OF THE GENERAL ASSEMBLY AND CHAIRS OF COUNTY BOARDS OF COMMISSIONERS TO ADMINISTER OATHS OF OFFICE. (CHAPTER 147)

H.B. 312, AN ACT TO PERMIT CHIMNEY ROCK VILLAGE TO

HOLD CERTAIN ABC ELECTIONS. (CHAPTER 148)

H.B. 420, AN ACT TO REVISE THE LAW GOVERNING THE PROCEDURES FOR FILING AND MAINTAINING SHAREHOLDER DERIVATIVE SUITS. (CHAPTER 149)

H.B. 517, AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN VANCE COUNTY BY PROVIDING FOR REGISTRATION AT ANY TIME AND BY ELIMINATING THE REQUIREMENT THAT REGISTRATION BE RENEWED ANNUALLY. (CHAPTER 150)

H.B. 578, AN ACT MAKING A QUALIFIED PUBLIC RECORDS EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE GEOGRAPHICAL INFORMATION SYSTEMS OF THE CITIES OF CONCORD, GREENSBORO, HIGH POINT, AND SALISBURY AND CABARRUS, CUMBERLAND AND GUILFORD COUNTIES. (CHAPTER 151)

H.B. 592, AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN GRANVILLE COUNTY BY PROVIDING FOR REGISTRATION AT ANY TIME, BY ELIMINATING THE REQUIREMENT THAT REGISTRATION BE RENEWED ANNUALLY, AND BY PROVIDING THAT A REGISTRANT MUST FURNISH THE POSTED NOTICES REQUIRED TO COMPLY WITH THE LAW. (CHAPTER 152)

H.B. 606, AN ACT TO CLARIFY THE DUTIES OF THE TRUSTEE OF AN IRREVOCABLE LIFE INSURANCE TRUST. (CHAPTER 153)

H.B. 638, AN ACT TO PERMIT THE CITY OF SANFORD AND THE GRAHAM COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN PARCELS OF REAL PROPERTY AT PRIVATE SALE, TO ALLOW MONTGOMERY COUNTY TO ACQUIRE PROPERTY FOR USE BY MONTGOMERY COMMUNITY COLLEGE AND TO AUTHORIZE THE MONTGOMERY COMMUNITY COLLEGE BOARD OF TRUSTEES TO CONVEY PROPERTY TO THE COUNTY IN CONNECTION WITH IMPROVEMENT AND REPAIR OF THE PROPERTY. (CHAPTER 154)

H.B. 758, AN ACT TO ADJUST CHARGES BY LENDERS. (CHAPTER 155)

H.B. 837, AN ACT TO MODIFY THE TIME LIMIT WITHIN WHICH MOTOR VEHICLE MANUFACTURERS AND DISTRIBUTORS MAY AUDIT AND CHARGEBACK DEALERS FOR WARRANTY REPAIRS. (CHAPTER 156)

H.B. 958, AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED PROFESSIONAL COUNSELORS UNDER THE STATE HEALTH PLAN FOR MENTAL HEALTH AND CHEMICAL DEPENDENCY TREATMENT. (CHAPTER 157)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Daughtry for the Committee on Judiciary I:

Committee Substitute for **S.B. 6,** A BILL TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Having received a unanimous vote in committee, the House committee substitute bill is placed on the Consent Calendar for June 6. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

Committee Substitute for **S.B. 687,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IMPROVEMENT PERMITS FOR SEWAGE DISPOSAL SYSTEMS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Edwards for the Committee on State Government:

Committee Substitute for **S.B. 966,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE COSMETOLOGY EXAMINATION AND

LICENSURE FEES, TO ALLOW THE BOARD TO ADMINISTER EXAMINATIONS FOR LICENSURE OF TEACHERS, AND TO CHARGE A FEE FOR THE EXAMINATION OF TEACHERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Cummings for the Permanent Subcommittee on Preschool, Elementary and Secondary Education:

S.B. 453, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE PROSPECTIVE TEACHERS SCHOLARSHIP LOAN PROGRAM, reported to the Standing Committee on Education with a favorable recommendation and recommend that the bill be re-referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 409,** A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DRUGS TO THE CONTROLLED SUBSTANCES LAW, is returned for concurrence in Senate amendment and placed on the Calendar for June 5.

S.B. 878, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN AIRPORT BOARDS AND COMMISSIONS TO OWN, OPERATE, AND FINANCE THE PURCHASE AND IMPROVEMENT OF WATER AND WASTEWATER SYSTEMS, is read the first time and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 134,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MOTOR VEHICLE LAWS AND OTHER LAWS CONCERNING THE DEPARTMENT OF TRANSPORTATION.

On motion of Representative McLaughlin, the House concurs in the Senate committee substitute, which changes the title, by electronic vote

(105-0), and the bill is ordered enrolled.

H.B. 676, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ESTABLISHMENT OF AN OUTER BANKS BEAUTIFICATION DISTRICT AND PROVIDE FOR THE LEVY AND COLLECTION OF PROPERTY TAXES IN THE DISTRICT, SUBJECT TO APPROVAL OF THE VOTERS OF THE DISTRICT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Grady, Gray, Hayes, Hensley, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representative Allred.

Excused absences: Representatives Bowie, Boyd-McIntyre, Decker, Dickson, Fitch, and Hiatt - 6.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Creech and without objection, **S.B. 296,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

S.B. 428, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE SUPPLEMENTAL WELFARE FUND FOR FIREMEN

IN FORSYTH COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 556,** A BILL TO BE ENTITLED AN ACT TO ENABLE JOINT MUNICIPAL POWER AGENCIES TO EFFECT CORPORATE REORGANIZATION AND TO MAKE TECHNICAL CHANGES TO THE STATUTES GOVERNING JOINT MUNICIPAL POWER AGENCIES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Bowie, Boyd-McIntyre, Decker, Dickson, Fitch, and Hiatt - 6.

Committee Substitute for **H.B. 761,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSURE OF FOREIGN LEGAL CONSULTANTS AND TO AUTHORIZE FOREIGN LEGAL CONSULTANTS TO ENGAGE IN A LIMITED PRACTICE OF LAW IN NORTH CAROLINA, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps,

Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 107.

Voting in the negative: Representative Edwards.

Excused absences: Representatives Bowie, Boyd-McIntyre, Decker, Dickson, Fitch, and Hiatt - 6.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culp and without objection, Committee Substitute for **H.B. 825,** A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS, is withdrawn from the Calendar and placed on the Calendar of June 6.

CALENDAR (continued)

H.B. 1018, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS OPERATING LOCAL CONFINEMENT FACILITIES TO CHARGE FEES FOR NONEMERGENCY MEDICAL CARE PROVIDED TO PRISONERS.

Representative Linney offers Amendment No. 1 which fails of adoption by electronic vote (24-86).

Representative Linney offers Amendment No. 2.

Representative Linney withdraws Amendment No. 2.

Representative Linney offers new Amendment No. 2 which is adopted by

electronic vote (79-27).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Bowie, Boyd-McIntyre, Dickson, Fitch, and Hiatt - 5.

House Committee Substitute for **S.B. 886,** A BILL TO BE ENTITLED AN ACT TO AMEND THE HOSPITAL COOPERATION ACT REGARDING COOPERATIVE AGREEMENTS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds,

Richardson, G. Robinson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Bowie, Boyd-McIntyre, Dickson, Fitch, and Hiatt - 5.

Committee Substitute for **S.B. 154,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM PROPERTY DAMAGE AMOUNT FOR A REPORTABLE MOTOR VEHICLE ACCIDENT AND TO RESOLVE INCONSISTENCIES IN THE LAW CONCERNING ACCIDENT REPORTS.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (108-1).

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barbee, Barnes, Beall, Black, Bowen, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Daughtry, Davis, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: Representatives Berry and Linney - 2.

Excused absences: Representatives Bowie, Boyd-McIntyre, Dickson, Fitch, and Hiatt - 5.

Committee Substitute for **H.B. 123,** A BILL TO BE ENTITLED AN ACT TO REVISE THE CONTROLLED SUBSTANCE EXCISE TAX, passes

its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Bowen, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dockham, Easterling, Eddins, Edwards, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 95.

Voting in the negative: Representatives Adams, Braswell, Earle, Ellis, Hensley, Hightower, Linney, Sutton, and Womble - 9.

Excused absences: Representatives Bowie, Boyd-McIntyre, Dickson, Fitch, and Hiatt - 5.

H.B. 390, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENTS PROJECT AT APPALACHIAN STATE UNIVERSITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Bowen, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Bowie, Boyd-McIntyre, Dickson, Fitch, and Hiatt - 5.

House Committee Substitute for **S.B. 259,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL LIABILITY FOR LARCENY, SHOPLIFTING, EMBEZZLEMENT, AND OBTAINING PROPERTY BY FALSE PRETENSE AND TO PROTECT MERCHANTS AND PEACE OFFICERS FROM CIVIL LIABILITY FOR DETENTION OR ARREST OF PERSONS ACCUSED OF LARCENY OR SHOPLIFTING WHILE ON STORE PREMISES.

Representative Michaux offers Amendment No. 1 which fails of adoption by electronic vote (39-64).

The bill passes its third reading, by electronic vote (88-20), and is ordered sent to the Senate for concurrence in House committee substitute.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Richardson and without objection, **S.B. 501,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PARENTS OF A DEPENDENT CHILD WHO IS THE PARENT OF A DEPENDENT CHILD TO CONTRIBUTE TO THE SUPPORT OF THEIR GRANDCHILD, is withdrawn from the Calendar and placed on the Calendar of June 6.

On motion of Representative Daughtry and without objection, House Committee Substitute for **S.B. 344,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE REQUIREMENTS FOR CERTIFICATION TO TEACH NOTARY COURSES, TO ALLOW REVOCATION OF NOTARIAL COMMISSIONS FOR NOTARIES WHO FAIL TO ADMINISTER OATHS OR AFFIRMATIONS, TO PROVIDE THAT APPLICANTS FOR RECOMMISSIONING NEED NOT OBTAIN THE RECOMMENDATION OF A PUBLICLY ELECTED OFFICIAL, AND TO ALLOW THE SECRETARY OF STATE LAW ENFORCEMENT AGENTS TO ENFORCE THE NOTARY CHAPTER, is withdrawn from the Calendar and placed on the Calendar of June 5.

CALENDAR (continued)

S.B. 379, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY

THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON THE JUVENILE CODE TO ALLOW COURTS TO ORDER PSYCHIATRIC OR PSYCHOLOGICAL TREATMENT OF PARENTS OF JUVENILES ADJUDICATED DELINQUENT, UNDISCIPLINED, ABUSED, NEGLECTED, OR DEPENDENT AT THE DISPOSITIONAL HEARINGS OR SUBSEQUENT HEARINGS AND TO PROVIDE FOR NOTICE.

Representative Barnes moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Appropriations.

Representative Morgan moves, seconded by Representative Nichols, that subject to the reading of notices and announcements, the House adjourn to reconvene Monday, June 5, 1995, at 7:00 p.m. The motion carries by electronic vote (91-14).

The House stands adjourned at 2:57 p.m.

SEVENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 5, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, thank You for the weekend of relaxation, rest, and worship, and thank You for our spouses, their patience, helpfulness and love. My wife has always been supportive, helpful, and creative. Father, as You know I said to her, 'Honey, since I've been Chaplain, I've been thinking about going into politics'. 'Oh?' she said. 'Yes,' I replied, 'I'm thinking about running for president of the PTA this fall, but how can I get the folks to vote for me?' 'Well,' she replied, 'Do something for the children.' 'Will that help?' I asked. 'Works every time,' she said. 'Like what?' I asked. She continued, 'Do what grandmother used to do for me; give them Smart Tarts.' 'Smart Tarts?' I asked. 'Yes, if you eat them you make good grades in school and that makes mama and daddy happy and they will vote for you,' she said. 'That's it!', I

responded with excitement, 'We'll give a Smart Tart party, and I guess just invite the kids whose parents will vote for me?' 'Oh no,' she answered, 'Invite everybody, they all have parents who can vote.' 'Honey,' she said, 'If you get elected you have got to start smart, and Smart Tarts are the best answer I have to a Smart Start.' 'Sweetheart you are a genius.' I said, 'Let's just take up a collection Sunday and get started. I might just make a politician yet.' Father, thank You again for our families, these Representatives, the good people of North Carolina, and for the privilege of seeking to serve both them and You. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 1 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (96-0).

Leaves of absence are granted Representatives Berry, Dockham, Fox, R. Hunter, Lee, Tallent, Thompson, and Wright for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH, 27603-8001

June 5, 1995

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 126-2, I hereby appoint Allen Wellons and George Allison as members of the North Carolina State Personnel Commission and submit their names for confirmation by the North Carolina General Assembly. Each of them will serve a term to begin July 1, 1995 and to expire

June 30, 2001.

Biographical information of Mr. Wellons and Reverend Allison is enclosed. Please feel free to call on them or my staff for additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

The Speaker refers the letter to the Committee on State Government.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 309, AN ACT TO PROVIDE FOR THE FILING OF NOTICES OF LIS PENDENS IN THE ENFORCEMENT OF HOUSING AND BUILDING STANDARDS BY CITIES AND COUNTIES. (CHAPTER 158)

S.B. 384, AN ACT RELATING TO PYROTECHNICS IN FORSYTH COUNTY. (CHAPTER 159)

S.B. 428, AN ACT TO AMEND THE LAW REGARDING THE SUPPLEMENTAL WELFARE FUND FOR FIREMEN IN FORSYTH COUNTY. (CHAPTER 160)

S.B. 707, AN ACT TO AMEND THE LAW RELATING TO THE SHARE OF AFTER-BORN OR AFTER ADOPTED-CHILDREN, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 161)

H.B. 68, AN ACT TO ALLOW THE TOWN OF BEECH MOUNTAIN TO REQUIRE THAT RENTAL RESIDENTIAL DWELLING UNITS HAVE SMOKE DETECTORS AND FIRE EXTINGUISHERS. (CHAPTER 162)

H.B. 134, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MOTOR VEHICLE LAWS AND OTHER LAWS CONCERNING THE DEPARTMENT OF TRANSPORTATION, AND TO

VALIDATE CERTAIN RECORDED INSTRUMENTS WHERE SEALS HAVE BEEN OMITTED. (CHAPTER 163)

H.B. 173, AN ACT TO CREATE A SAFETY ZONE AROUND MERCHANTS MILLPOND STATE PARK BY PROHIBITING HUNTING IN THE VICINITY OF THE PARK. (CHAPTER 164)

H.B. 314, AN ACT TO AMEND THE LAW RELATING TO MOUNT AIRY'S FIREFIGHTERS' SUPPLEMENTARY FUND. (CHAPTER 165)

H.B. 423, AN ACT TO PROVIDE FOR THE DISTRIBUTION OF COPIES OF CERTAIN PUBLICATIONS TO THE STATE PERSONNEL COMMISSION AND TO THE OFFICE OF STATE PERSONNEL. (CHAPTER 166)

H.B. 446, AN ACT MODIFYING CONTRACT LETTING PROCEDURES AND LIMITATIONS APPLICABLE TO THE DEPARTMENT OF TRANSPORTATION. (CHAPTER 167)

H.B. 461, AN ACT TO AUTHORIZE THE USE OF RED LIGHTS ON VEHICLES TRANSPORTING BLOOD. (CHAPTER 168)

H.B. 471, AN ACT TO REPEAL LOCAL ACTS APPLICABLE TO THE CITY OF CHARLOTTE OR TO BOTH THE CITY OF CHARLOTTE AND THE COUNTY MECKLENBURG. (CHAPTER 169)

H.B. 498, AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE WITH RESPECT TO THE DISPOSITION OF REAL PROPERTY TO PERSONS OF LOW OR MODERATE INCOME. (CHAPTER 170)

H.B. 513, AN ACT TO INCREASE THE MONTHLY BENEFIT FOR RETIRED CHARLOTTE FIREFIGHTERS. (CHAPTER 171)

H.B. 536, AN ACT TO PROVIDE THAT GASTON COUNTY MAY USE THE PROCEEDS OF ITS OCCUPANCY TAX ONLY FOR ECONOMIC DEVELOPMENT TO PROMOTE TRAVEL AND TOURISM. (CHAPTER 172)

H.B. 583, AN ACT RELATING TO THE ALAMANCE COUNTY PUBLIC LAW LIBRARY. (CHAPTER 173)

H.B. 584, AN ACT TO PROVIDE FOR THE ELECTION OF THE NINE MEMBERS OF THE ANSON COUNTY BOARD OF EDUCATION FROM SEVEN SINGLE-MEMBER DISTRICTS, PLUS TWO AT-LARGE MEMBERS ELECTED BY LIMITED VOTING. (CHAPTER 174)

H.B. 697, AN ACT TO ALLOW AVERY COUNTY TO USE ITS OWN CREWS AND EQUIPMENT TO COMPLETE PHASE II OF ITS COMMUNITY RECREATION FACILITY. (CHAPTER 175)

H.B. 713, AN ACT TO PERMIT THE PERSONAL USE OF MATTHEWS POLICE CARS WITHIN SPECIFIC AREAS. (CHAPTER 176)

H.B. 788, AN ACT TO INCLUDE HOSPITAL AND MEDICAL SERVICE CORPORATION PLANS UNDER THE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT. (CHAPTER 177)

H.B. 993, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE. (CHAPTER 178)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Cocklereece, Vice Chair, for the Committee on Insurance:

Committee Substitute for **S.B. 342,** A BILL TO BE ENTITLED AN ACT TO IMPROVE INSURANCE COMPANY FINANCIAL MATTERS BY ADOPTING STANDARDS FOR ASSUMPTION REINSURANCE, MATERIAL TRANSACTIONS, AND PROPERTY AND CASUALTY INSURER CAPITAL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 353,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS AND CORRECTIONS IN THE INSURANCE LAWS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 6.

By Representative McMahan for the Permanent Subcommittee on Community Colleges and Universities of the Standing Committee on Education, with approval of standing committee chair for report to be made directly to the floor of the House:

S.B. 303, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REMOVAL OF MEMBERS OF STATE BOARD OF COMMUNITY COLLEGES AFTER UNEXCUSED ABSENCES FROM THREE CONSECUTIVE SCHEDULED BOARD MEETINGS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 6.

By Representative Cummings for the Permanent Subcommittee on Preschool, Elementary and Secondary Education of the Standing Committee on Education, with approval of standing committee chair for report to be made directly to the floor of the House:

Committee Substitute No. 2 for **S.B. 223,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL RECORD CHECKS OF PUBLIC SCHOOL EMPLOYEES, with a favorable report.

On motion of the Chair and without objection, the bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 277, A BILL TO BE ENTITLED AN ACT TO REMOVE THE FIFTY ACRE LIMITATION ON CONDEMNING PROPERTY FOR A SCHOOL SITE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 6.

S.B. 348, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE TO USE THE SETOFF DEBT COLLECTION ACT TO RECOUP FUNDS OWED BY TEACHERS WHO DO NOT FULFILL THEIR OBLIGATIONS UNDER THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS PROGRAM, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 6.

S.B. 922, A BILL TO BE ENTITLED AN ACT TO PROVIDE

ADDITIONAL EDUCATIONAL AND CAREER OPPORTUNITIES FOR TEACHER ASSISTANTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 978, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO VOTING PRECINCTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S.B. 84, A BILL TO BE ENTITLED AN ACT TO PLACE TIME LIMITS ON OPTIONS IN GROSS AND OTHER INTERESTS IN LAND, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

S.B. 653, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE MEDICAL PRACTICE ACT, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 6. The original bill is placed on the Unfavorable Calendar.

By Representative Howard for the Committee on Welfare Reform and Human Resources:

H.B. 1052, A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) TO PARTICIPATE IN EMPLOYMENT/WORKFARE AND TO

APPROPRIATE FUNDS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

S.B. 1003, A BILL TO BE ENTITLED AN ACT TO EXEMPT INDIVIDUAL RETIREMENT ACCOUNTS, INDIVIDUAL RETIREMENT ANNUITIES, AND SIMPLIFIED EMPLOYEES PENSION/INDIVIDUAL RETIREMENT ACCOUNTS FROM THE CLAIMS OF CREDITORS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 6. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards for the Committee on State Government:

Committee Substitute for **S.B. 294,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE ISSUANCE AND RENEWAL OF BARBER CERTIFICATES, PERMITS, AND LICENSES, TO ESTABLISH LATE FEES FOR EXPIRED CERTIFICATES, TO MAKE CERTAIN REVISIONS TO THE LAW GOVERNING THE BOARD OF BARBER EXAMINERS AND THE SANITARY RULES, AND TO MAKE CONFORMING CHANGES TO THE COSMETIC ART ACT, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Sherrill for the Permanent Subcommittee on Boards and Commissions of the Standing Committee on State Government, with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 826, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF SOIL SCIENTISTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Hiatt for the Permanent Subcommittee on Travel and Tourism:

S.B. 519, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PURCHASE OF COMMODITIES AND SERVICES OFFERED BY BLIND AND BY SEVERELY DISABLED PERSONS, reported to the Standing Committee on Business and Labor with a favorable recommendation.

S.B. 554, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PURCHASE OF GOODS AND SERVICES FOR PERSONS WITH DISABILITIES UNDER PROCEDURES THAT ALLOW FLEXIBILITY TO MEET INDIVIDUAL NEEDS, reported to the Standing Committee on Business and Labor with a favorable recommendation.

S.B. 1015, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEFINITION OF "DEVELOPER" FOR PURPOSES OF THE TIME SHARE ACT, reported to the Standing Committee on Business and Labor with a favorable recommendation.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 135, A BILL TO BE ENTITLED AN ACT TO MAKE CONFIDENTIAL ALL PHOTOGRAPHIC IMAGES RECORDED BY THE DIVISION OF MOTOR VEHICLES FOR DRIVERS LICENSES, is returned for concurrence in Senate amendment and placed on the Calendar for June 6.

Upon concurrence, the Senate amendment changes the title.

Senate Committee Substitute for **H.B. 507,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY ON STREETS OWNED BY THE COLINGTON HARBOUR ASSOCIATION, INC., IN DARE COUNTY, is returned for

concurrence in Senate committee substitute and placed on the Calendar for June 6.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **H.B. 546,** A BILL TO BE ENTITLED AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT WITH RETRIEVABLE BALLOTS IN GASTON, GUILFORD, MECKLENBURG, AND UNION COUNTIES, is returned for concurrence in Senate amendment and placed on the Calendar for June 6.

Upon concurrence, the Senate amendment changes the title.

S.J.R. 1096, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARY FRANCES POWELL SEYMOUR, FORMER MEMBER OF THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

S.B. 317, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ADVISORY COMMITTEE ON HOME AND COMMUNITY CARE, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.J.R. 538, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO CONSIDER ACTION ON THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 575, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE LEGISLATIVE ETHICS COMMITTEE, TO DESIGNATE COMMITTEE COCHAIRS FROM EACH LEGISLATIVE CHAMBER, AND TO MAKE CONFORMING CHANGES, passes its second reading, by electronic vote (106-1), and there being no objection is read a third

time.

The bill passes its third reading and is ordered enrolled.

S.J.R. 945, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 83, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM STATUTORY RULE AGAINST PERPETUITIES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Culpepper and without objection, consideration of the bill is postponed until June 6.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hensley and without objection, **S.B. 379,** A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON THE JUVENILE CODE TO ALLOW COURTS TO ORDER PSYCHIATRIC OR PSYCHOLOGICAL TREATMENT OF PARENTS OF JUVENILES ADJUDICATED DELINQUENT, UNDISCIPLINED, ABUSED, NEGLECTED, OR DEPENDENT AT THE DISPOSITIONAL HEARINGS OR SUBSEQUENT HEARINGS AND TO PROVIDE FOR NOTICE, is withdrawn from the Calendar and placed on the Calendar of June 8.

CALENDAR (continued)

Committee Substitute for **H.B. 409,** A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DRUGS TO THE CONTROLLED SUBSTANCES LAW.

On motion of Representative Justus, the House concurs in the Senate amendment, by electronic vote (102-1), and the bill is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 3 for **H.B. 576,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUMMERFIELD, SUBJECT TO A REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Gamble, Gardner, Grady, Hackney, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 102.

Voting in the negative: Representatives Boyd-McIntyre, Hensley, and K. Miller - 3.

Excused absences: Representatives Berry, Dockham, Fox, R. Hunter, Lee, Tallent, Thompson, and Wright - 8.

S.B. 764, A BILL TO BE ENTITLED AN ACT TO MAKE ADJUSTMENTS IN THE DEER MANAGEMENT ASSISTANCE PROGRAM OF THE WILDLIFE RESOURCES COMMISSION, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 1001, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF THE BEACH ACCESS PROGRAM TO PROJECTS DESIGNED TO PROVIDE ACCESS TO COASTAL WATERS, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 1041, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MINIMUM STREAMFLOW IN THE LENGTH OF THE STREAM AFFECTED BY CERTAIN DAMS OPERATED BY SMALL HYDROELECTRIC POWER PRODUCERS AND TO PROVIDE THAT THE MINIMUM STREAMFLOWS THUS SPECIFIED ARE THE POLICY OF THE STATE FOR SUCH DAMS, WHETHER OR NOT A PARTICULAR DAM IS SUBJECT TO THE DAM SAFETY LAW OF 1967, passes its second reading by electronic vote (102-3).

Representative Justus objects to the third reading. The bill remains on the Calendar.

S.B. 449, A BILL TO BE ENTITLED AN ACT RELATING TO PRACTICE RESTRICTIONS IMPOSED ON HEALTH CARE WORKERS WHO ARE INFECTED WITH HIV OR HEPATITIS B, passes its second reading by electronic vote (104-0).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

S.B. 890, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF CARDIAC REHABILITATION PROGRAM AND TO MAKE CONFORMING CHANGES TO THE LAW GOVERNING CARDIAC REHABILITATION PROGRAMS, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Justus withdraws his objection to the third reading of **S.B. 1041,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MINIMUM STREAMFLOW IN THE LENGTH OF THE STREAM AFFECTED BY CERTAIN DAMS OPERATED BY SMALL HYDROELECTRIC POWER PRODUCERS AND TO PROVIDE THAT THE MINIMUM STREAMFLOWS THUS SPECIFIED ARE THE POLICY OF THE STATE FOR SUCH DAMS, WHETHER OR NOT A PARTICULAR DAM IS SUBJECT TO THE DAM SAFETY LAW OF 1967.

The bill passes its third reading and is ordered enrolled.

CALENDAR (continued)

Committee Substitute for **H.B. 123,** A BILL TO BE ENTITLED AN ACT TO REVISE THE CONTROLLED SUBSTANCE EXCISE TAX.

Representative Linney offers Amendment No. 1 which fails of adoption by electronic vote (41-56).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Aldridge, Allred, Arnold, Barbee, Barnes, Black, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Davis, Decker, Dickson, Eddins, Edwards, Esposito, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tolson, Warner, Wilkins, C. Wilson, G. Wilson, and Wood - 83.

Voting in the negative: Representatives Adams, Alexander, Baker, Beall, Boyd-McIntyre, Braswell, W. Brown, Earle, Easterling, Ellis, Fitch, Linney, McAllister, McLaughlin, Shaw, Sutton, Wainwright, Watson, Womble, and Yongue - 20.

Excused absences: Representatives Berry, Dockham, Fox, R. Hunter, Lee, Tallent, Thompson, and Wright - 8.

H.B. 390, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENTS PROJECT AT APPALACHIAN STATE UNIVERSITY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes,

Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 102.

Voting in the negative: Representative Aldridge.

Excused absences: Representatives Berry, Dockham, Fox, R. Hunter, Lee, Tallent, Thompson, and Wright - 8.

Representative Aldridge requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (103-0).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 483,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INSPECTION OF BISON MEAT THAT IS TO BE USED AS FOOD, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Berry, Dockham, Fox, R. Hunter,

Lee, Tallent, Thompson, and Wright - 8.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Culpepper and without objection, **H.J.R. 981,** A JOINT RESOLUTION HONORING THE MEMORY OF UNDERAGE MILITARY VETERANS WHO DIED SERVING THEIR COUNTRY AND COMMENDING THE VETERANS OF UNDERAGE MILITARY SERVICE, INC., is withdrawn from the Calendar and placed on the Calendar of June 7.

On motion of Representative Culpepper and without objection, House Committee Substitute for **S.B. 85,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HONORARY TRUSTS, TRUSTS FOR PETS, AND TRUSTS FOR CEMETERY LOTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is withdrawn from the Calendar and placed on the Calendar of June 6.

CALENDAR (continued)

House Committee Substitute for **S.B. 344,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE REQUIREMENTS FOR CERTIFICATION TO TEACH NOTARY COURSES, TO ALLOW REVOCATION OF NOTARIAL COMMISSIONS FOR NOTARIES WHO FAIL TO ADMINISTER OATHS OR AFFIRMATIONS, TO PROVIDE THAT APPLICANTS FOR RECOMMISSIONING NEED NOT OBTAIN THE RECOMMENDATION OF A PUBLICLY ELECTED OFFICIAL, AND TO ALLOW THE SECRETARY OF STATE LAW ENFORCEMENT AGENTS TO ENFORCE THE NOTARY CHAPTER.

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.J.R. 1068, A JOINT RESOLUTION HONORING THE MEMORY OF STEPHEN CABARRUS AND THE CITY OF CONCORD AS IT PREPARES FOR ITS BICENTENNIAL OBSERVANCE, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 81,** A BILL TO BE ENTITLED AN ACT TO ENACT THE REVISED ARTICLE 3 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO ARTICLES 1 AND 4 OF THE UNIFORM COMMERCIAL CODE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 643,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRIOR NOTICE OF SEWER SYSTEM MORATORIA TO THE AFFECTED UNIT OF GOVERNMENT AND TO THE PUBLIC, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 755,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE DESIGNATED LEGISLATIVE MEMBERSHIP OF THE COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS AND THEIR TERMS.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (106-0).

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 344,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE REQUIREMENTS FOR CERTIFICATION

TO TEACH NOTARY COURSES, TO ALLOW REVOCATION OF NOTARIAL COMMISSIONS FOR NOTARIES WHO FAIL TO ADMINISTER OATHS OR AFFIRMATIONS, TO PROVIDE THAT APPLICANTS FOR RECOMMISSIONING NEED NOT OBTAIN THE RECOMMENDATION OF A PUBLICLY ELECTED OFFICIAL, AND TO ALLOW THE SECRETARY OF STATE LAW ENFORCEMENT AGENTS TO ENFORCE THE NOTARY CHAPTER.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (108-0).

Representative K. Miller offers Amendment No. 2 which fails of adoption by electronic vote (8-101).

The bill, as amended, passes its third reading, by electronic vote (109-2), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

RE-REFERRALS

On motion of Representative Nichols, pursuant to Rule 39.2 and without objection, Committee Substitute for **S.B. 798,** A BILL TO BE ENTITLED AN ACT AUTHORIZING SANITARY DISTRICTS TO PROVIDE STREETS AND LAW ENFORCEMENT SERVICES AND ALLOWING SMALL SANITARY DISTRICTS TO COMPENSATE BOARD MEMBERS IN THE SAME MANNER AS LARGE SANITARY DISTRICTS, is withdrawn from the Committee on Health and Environment and re-referred to the Committee on Judiciary II.

On motion of Representative Nichols, pursuant to Rule 39.2 and without objection, Committee Substitute for **S.B. 630**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR BILLING FEES FOR STRUCTURAL AND NATURAL STORMWATER AND DRAINAGE SYSTEMS IN CUMBERLAND COUNTY, is withdrawn from the Committee on Health and Environment and re-referred to the Committee on Finance.

INTRODUCTION OF PAGES

Pages for the week of June 5-8 are introduced to the membership. They are: Jennifer Allen of Caldwell; Dennis Allen, Jr. of Wake; Blake Baker of Buncombe; Zeb Beasley, II of Robeson; Matthew Borders of Cleveland; Spence Borders, II of Cleveland; Drake Brinkley of Craven; Kathleen Brothers

of Wake; Ann Burns of Mecklenburg; Laurie Dalton of Cleveland; Emily Darsie of Caldwell; Holly Davis of Lenoir; Elizabeth Deese of Robeson; Meredith Gregory of Wilkes; Nicholas Harrison of Montgomery; Mary Hodges of Cabarrus; Meredith Hooks of Henderson; Sadie Leder of Columbus; Kevin Lingle of Caldwell; Robert Maddox, III of Cabarrus; Shannon Maher of Henderson; Sarah Mobley of Wake; William Orr of Buncombe; Gregory Powell of Hertford; Nicole Raynor of Sampson; Elizabeth Sarazen of Cleveland; Frazier Sizemore of Guilford; Melissa Spann of Yadkin; Sarah Sudderth of Chatham; Jennifer West of Alamance; Beth Whorley of Wake; Margaret Williamson of Sampson; and Tim Young of Franklin.

RE-REFERRALS

On motion of Representative Barnes, and without objection, **H.B. 725,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE SUPPORT FOR THE CAROLINA CHILDREN'S COMMUNICATIVE DISORDERS PROGRAM TO IMPLEMENT THE COCHLEAR IMPLANT PROCEDURE AND OTHER SERVICES FOR DEAF CHILDREN, is withdrawn from the Committee on Appropriations, Subcommittee on Education and re-referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

On motion of Representative Gray and without objection, **H.B. 854,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PERMANENT STATUTORY STUDY COMMISSION ON FISCAL TRENDS, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Mitchell, the House adjourns at 8:26 p.m. to reconvene June 6, at 1:30 p.m.

SEVENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 6, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by John Swem, Westover Church, Greensboro, North

Carolina.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 5 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (99-0).

Leaves of absence are granted Representatives Blue, Fitch, Neely, and Thompson for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 317, AN ACT TO REPEAL THE ADVISORY COMMITTEE ON HOME AND COMMUNITY CARE. (CHAPTER 179)

S.B. 575, AN ACT TO INCREASE THE MEMBERSHIP OF THE LEGISLATIVE ETHICS COMMITTEE, TO DESIGNATE COMMITTEE COCHAIRS FROM EACH LEGISLATIVE CHAMBER, AND TO MAKE CONFORMING CHANGES. (CHAPTER 180)

S.B. 764, AN ACT TO MAKE ADJUSTMENTS IN THE DEER MANAGEMENT ASSISTANCE PROGRAM OF THE WILDLIFE RESOURCES COMMISSION. (CHAPTER 181)

S.B. 890, AN ACT TO AMEND THE DEFINITION OF CARDIAC REHABILITATION PROGRAM AND TO MAKE CONFORMING CHANGES TO THE LAW GOVERNING CARDIAC REHABILITATION PROGRAMS. (CHAPTER 182)

S.B. 1001, AN ACT TO CLARIFY THE APPLICABILITY OF THE BEACH ACCESS PROGRAM TO PROJECTS DESIGNED TO PROVIDE ACCESS TO COASTAL WATERS. (CHAPTER 183)

S.B. 1041, AN ACT TO ESTABLISH THE MINIMUM STREAMFLOW IN THE LENGTH OF THE STREAM AFFECTED BY CERTAIN DAMS OPERATED BY SMALL HYDROELECTRIC POWER PRODUCERS AND TO PROVIDE THAT THE MINIMUM STREAMFLOWS THUS SPECIFIED ARE THE POLICY OF THE STATE FOR SUCH DAMS, WHETHER OR NOT A PARTICULAR DAM IS SUBJECT TO THE DAM SAFETY LAW

OF 1967. (CHAPTER 184)

S.B. 259, AN ACT TO ESTABLISH CIVIL LIABILITY FOR LARCENY, SHOPLIFTING, EMBEZZLEMENT, AND OBTAINING PROPERTY BY FALSE PRETENSE AND TO PROTECT MERCHANTS AND PEACE OFFICERS FROM CIVIL LIABILITY FOR DETENTION OR ARREST OF PERSONS ACCUSED OF LARCENY OR SHOPLIFTING WHILE ON STORE PREMISES. (CHAPTER 185)

H.B. 409, AN ACT TO ADD CERTAIN DRUGS TO THE CONTROLLED SUBSTANCES LAW. (CHAPTER 186)

H.B. 643, AN ACT TO REDEFINE THE BOUNDARIES OF THE HEARTSEASE FIRE TAX DISTRICT AND THE HARRISON FIRE TAX DISTRICT IN EDGECOMBE COUNTY. (CHAPTER 187)

H.B. 829, AN ACT TO AMEND THE VARIOUS GROUNDS FOR DISCIPLINE OF PRACTITIONERS OF CHIROPRACTIC BY THE STATE BOARD OF CHIROPRACTIC EXAMINERS. (CHAPTER 188)

H.B. 615, AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF STANFIELD. (CHAPTER 189)

S.J.R. 538, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO CONSIDER ACTION ON THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION. (RESOLUTION 7)

S.J.R. 945, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES. (RESOLUTION 8)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Daughtry for the Committee on Judiciary I:

S.B. 505, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE

GROUNDS FOR REMOVAL OF A MEMBER OF A LOCAL BOARD OF HEALTH, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 573, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ROLE OF OPTOMETRISTS IN MEDICAL COST CONTAINMENT THROUGH REVISION OF THE HOSPITAL PRIVILEGES LAW, TO REPEAL THE REQUIREMENT FOR AN OPTOMETRIST TO COLLABORATE WITH A PHYSICIAN IN THE USE OR PRESCRIPTION OF CERTAIN PHARMACEUTICAL AGENTS, TO ESTABLISH PEER REVIEW FOR OPTOMETRISTS, AND TO ESTABLISH AN OPTOMETRIST PRIVILEGE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Mitchell and Weatherly for the Permanent Subcommittee on Natural and Economic Resources:

H.B. 1029, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS, reported to the Standing Committee on Appropriations with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

S.B. 836, A BILL TO BE ENTITLED AN ACT TO ENHANCE PARENTAL SUPPORT OF CHILDREN BY AMENDING THE LAW PERTAINING TO CIVIL ACTIONS TO ESTABLISH PATERNITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 7.

By Representative Ellis for the Committee on Local and Regional Government I:

S.B. 458, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN

DESCRIBED TERRITORY TO THE CITY OF GREENVILLE, with a favorable report.

On motion of the Chair, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

S.B. 481, A BILL TO BE ENTITLED AN ACT TO ALLOW THE LENOIR COUNTY BOARD OF EDUCATION TO BUILD A CENTRAL OFFICE FACILITY ON LAND LEASED FROM THE STATE OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 7.

S.B. 557, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF PROPERTIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 579, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CLEVELAND COUNTY BOARD OF EDUCATION TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 7.

S.B. 699, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF RED SPRINGS TO SELL AT PRIVATE SALE A PARCEL OF PROPERTY DONATED TO THE TOWN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 7.

By Representative McMahan for the Permanent Subcommittee on Community Colleges and Universities of the Standing Committee on Education, with approval of standing committee chair for report to be made directly to the floor of the House:

S.B. 967, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM TO PERMIT COMMUNITY COLLEGES TO USE INMATE LABOR FOR CAPITAL CONSTRUCTION PROJECTS, with a favorable report as to House committee substitute bill, unfavorable as to

original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 754, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A WATER AND SEWER AUTHORITY WAS FORMED BY A COUNTY AND ONE CITY, AND THE MAJORITY OF THE CUSTOMERS OF THE AUTHORITY ARE LOCATED WITHIN A CITY THAT IS NOT A MEMBER, THAT CITY MAY JOIN THE AUTHORITY AND APPOINT MEMBERS TO ITS GOVERNING BOARD, is returned for concurrence in Senate amendment and placed on the Calendar for June 7.

H.B. 799, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DEFINITION OF CREDIT ACCIDENT AND HEALTH INSURANCE, is returned for concurrence in Senate amendment and placed on the Calendar for June 7.

S.B. 388, A BILL TO BE ENTITLED AN ACT TO AMEND THE PESTICIDE LAW, is read the first time and referred to the Committee on Agriculture.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 507,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY ON STREETS OWNED BY THE COLINGTON HARBOUR ASSOCIATION, INC., IN DARE COUNTY, AND TO PROVIDE THAT THE TOWN OF MANTEO MAY REGULATE NOISE IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS EXTRATERRITORIAL JURISDICTION.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (98-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 546,** A BILL TO BE ENTITLED AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT WITH RETRIEVABLE BALLOTS AND TO ALLOW CENTRAL COUNTING OF CURBSIDE BALLOTS IN GASTON, GUILFORD, MECKLENBURG, AND UNION COUNTIES.

On motion of Representative Cocklereece, the House concurs in the Senate amendment, which changes the title, by electronic vote (106-0), and the bill is ordered enrolled.

H.B. 135, A BILL TO BE ENTITLED AN ACT TO MAKE CONFIDENTIAL ALL PHOTOGRAPHIC IMAGES RECORDED BY THE DIVISION OF MOTOR VEHICLES FOR DRIVERS LICENSES.

On motion of Representative McLaughlin, the House concurs in the Senate amendment, which changes the title, by electronic vote (106-0), and the bill is ordered enrolled.

Committee Substitute No. 3 for **H.B. 576,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUMMERFIELD, SUBJECT TO A REFERENDUM, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Blue, Fitch, Neely, and Thompson - 4.

Committee Substitute for **H.B. 825,** A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS.

Pursuant to Rule 24.1A(c), the request that Representative H. Hunter be excused from voting on May 31 is continued.

On motion of Representative Michaux, the bill is temporarily displaced.

Committee Substitute for **S.B. 483,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INSPECTION OF BISON MEAT THAT IS TO BE USED AS FOOD, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Blue, Fitch, Neely, and Thompson - 4.

Committee Substitute for **H.B. 825,** A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS, which was temporarily displaced, is before the Body.

Representative Michaux offers Amendment No. 3 which is adopted by

electronic vote (106-1).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 109.

Voting in the negative: None.

Excused vote: Representative H. Hunter.

Excused absences: Representatives Blue, Fitch, Neely, and Thompson - 4.

House Committee Substitute for **S.B. 6,** A BILL TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME.

Representative Grady offers Amendment No. 1

Representative Linney inquires of the Chair if a fiscal note is required on the bill before the bill passes. The Chair states that according to Rule 36.1, only the Chairs of the Committees on Finance, Appropriations, and Rules, Calendar, and Operations of the House may request a fiscal note on the floor of the House.

Representative Grady withdraws Amendment No. 1.

Representative Grady offers Amendment No. 2 which is adopted by electronic vote (114-0).

Representative Grady calls the previous question on the passage of the bill and the call is sustained by electronic vote (108-5).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Blue, Fitch, Neely, and Thompson - 4.

S.B. 277, A BILL TO BE ENTITLED AN ACT TO REMOVE THE FIFTY ACRE LIMITATION ON CONDEMNING PROPERTY FOR A SCHOOL SITE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Black, Bowen, Bowie, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Church, Clary, Cocklereece, Culp, Culpepper, Cummings, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Esposito, Gardner, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McComas, McCombs, McCrary,

McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 90.

Voting in the negative: Representatives Allred, Berry, Boyd-McIntyre, Capps, Carpenter, Crawford, Creech, Davis, Easterling, Ellis, Fox, Gamble, Hightower, Linney, K. Miller, Nichols, J. Robinson, and Wood - 18.

Excused absences: Representatives Blue, Fitch, Neely, and Thompson - 4.

S.B. 501, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PARENTS OF A DEPENDENT CHILD WHO IS THE PARENT OF A DEPENDENT CHILD TO CONTRIBUTE TO THE SUPPORT OF THEIR GRANDCHILD.

Representative Linney offers Amendment No. 1 which is adopted by electronic vote (77-26).

Representative Barnes offers Amendment No. 2 which is adopted by electronic vote (100-9).

On motion of Representative Richardson, the bill is temporarily displaced.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute No. 2 for **H.B. 208,** A BILL TO BE ENTITLED AN ACT TO ALLOW EDGECOMBE, GREENE, JACKSON, AND MADISON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, is returned for concurrence in Senate Committee Substitute No. 2.

Upon concurrence, Senate Committee Substitute No. 2 changes the title.

The Chair rules Senate Committee Substitute No. 2 to be material, thus constituting its first reading.

Senate Committee Substitute No. 2 is placed on the Calendar for June 7

for its second roll call reading.

CALENDAR (continued)

S.B. 449, A BILL TO BE ENTITLED AN ACT RELATING TO PRACTICE RESTRICTIONS IMPOSED ON HEALTH CARE WORKERS WHO ARE INFECTED WITH HIV OR HEPATITIS B.

On motion of Representative Hackney, the bill is temporarily displaced.

House Committee Substitute for **S.B. 85,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HONORARY TRUSTS, TRUSTS FOR PETS, AND TRUSTS FOR CEMETERY LOTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

S.B. 83, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM STATUTORY RULE AGAINST PERPETUITIES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 449, A BILL TO BE ENTITLED AN ACT RELATING TO PRACTICE RESTRICTIONS IMPOSED ON HEALTH CARE WORKERS WHO ARE INFECTED WITH HIV OR HEPATITIS B, which was temporarily displaced, is before the Body.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its third reading, by electronic vote (114-0), and is ordered sent to the Senate for concurrence in House amendment.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Nichols and without objection, House Committee Substitute for **S.B. 687,** A BILL TO BE ENTITLED AN ACT TO

AMEND ARTICLE 11 OF CHAPTER 130A OF THE GENERAL STATUTES REGARDING WASTEWATER SYSTEMS, is withdrawn from the Calendar and placed on the Calendar of June 8.

On motion of Representative Dickson and without objection, House Committee Substitute for **S.B. 653,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE MEDICAL PRACTICE ACT, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 353,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS AND CORRECTIONS IN THE INSURANCE LAWS.

Representative H. Hunter requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 303, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REMOVAL OF MEMBERS OF STATE BOARD OF COMMUNITY COLLEGES AFTER UNEXCUSED ABSENCES FROM THREE CONSECUTIVE SCHEDULED BOARD MEETINGS, passes its second reading, by electronic vote (108-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 348, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE TO USE THE SETOFF DEBT COLLECTION ACT TO RECOUP FUNDS OWED BY TEACHERS WHO DO NOT FULFILL THEIR

OBLIGATIONS UNDER THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS PROGRAM.

On motion of Representative Cummings, Committee Amendment No. 1 is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 1003,** A BILL TO BE ENTITLED AN ACT TO EXEMPT INDIVIDUAL RETIREMENT ACCOUNTS, INDIVIDUAL RETIREMENT ANNUITIES, AND SIMPLIFIED EMPLOYEES PENSION/INDIVIDUAL RETIREMENT ACCOUNTS FROM THE CLAIMS OF CREDITORS.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (115-0).

The bill, as amended, passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

H.B. 954, A BILL TO BE ENTITLED AN ACT TO PERMIT PARENTS TO CHOOSE THE EDUCATIONAL SETTING THAT BEST HELPS THEIR CHILD LEARN, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives Berry and Howard for the Committee on Welfare Reform and Human Resources:

Committee Substitute for **S.B. 775,** A BILL TO BE ENTITLED AN ACT TO DEFINE CLIENTS ELIGIBLE FOR "WILLIE M." SERVICES, TO AUTHORIZE THE ADOPTION OF RULES TO DETERMINE ELIGIBILITY, TO ENSURE THE PROVISION OF SERVICES, AND TO PROVIDE FOR CONTESTED CASE HEARING PROVISIONS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Wood for the Committee on Education:

S.B. 453, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE PROSPECTIVE TEACHERS SCHOLARSHIP LOAN PROGRAM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 701, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STATE BOARD OF EDUCATION FROM ADOPTING OR ENFORCING ANY RULE THAT REQUIRES ALGEBRA I AS A GRADUATION STANDARD OR AS A REQUIREMENT FOR A HIGH SCHOOL DIPLOMA FOR STUDENTS WHO ARE IDENTIFIED AS LEARNING DISABLED IN THE AREA OF MATHEMATICS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO SUSPEND THE APPLICATION OF THIS RULE TO THESE STUDENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Daughtry for the Committee on Judiciary I:

S.B. 679, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN ACTIONS OF WATER AND SEWER DISTRICTS, with a

favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 7. The original bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative Gray and without objection, the following bills are withdrawn from the Committee on Finance and re-referred to the Committee on Ways and Means.

H.B. 388, A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED TOLERANCE FOR EXISTING TRUCK WEIGHTS;

H.B. 585, A BILL TO BE ENTITLED AN ACT TO MAKE FAILURE TO DISCLOSE THAT THE AIR BAGS HAVE NOT BEEN REPLACED ON A MOTOR VEHICLE A MISDEMEANOR;

H.B. 1001, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NONCOMMERCIAL MOTOR VEHICLES MORE THAN THIRTY YEARS OLD ARE EXEMPT FROM PROPERTY TAX; and

H.B. 539, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON ANNEXATION IN BUNCOMBE COUNTY IF REQUESTED BY RESIDENTS OF THE AREA TO BE ANNEXED.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 6, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives respectfully requesting the return of **H.B. 208,** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW EDGECOMBE, GREENE, JACKSON, AND MADISON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, which was sent on June 5, 1995 for concurrence in the Senate Committee Substitute Bill No. 2,

which changes the title, upon concurrence, to read **H.B. 208,** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW ALLEGHANY, CURRITUCK, EDGECOMBE, GREENE, HALIFAX, JACKSON, MADISON, MOORE, RANDOLPH, SCOTLAND, UNION, AND WAKE COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION AND TO CLARIFY THAT BOARDS OF EDUCATION HAVE THE SAME DEGREE OF CONSTRUCTION OVERSIGHT WHEN A COUNTY OWNS THE PROPERTY UPON WHICH THE SCHOOL BUILDINGS ARE BUILT AS WHEN THE LOCAL BOARDS OWN THE PROPERTY, for further consideration by the Senate.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

On motion of Representative Morgan, seconded by Representative H. Hunter, the House adjourns at 3:40 p.m. to reconvene June 7, at 1:30 p.m.

SEVENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 7, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, there is a quickening of the Legislative pulse these days, and we need Your guidance more and more. Sometimes our intelligence, experience, and wisdom just aren't enough, and we desperately need Your help. Father, it isn't always easy to find and to know Your will. Why must we struggle so? Perhaps to give muscle to our faith, and value to our knowledge. But, Father, we do want Your will to be done; let the motivation and purpose behind each bill and each law be acceptable before Thee. May our debate in committee and here on the floor sift out the flaws, and may politics, as invigorating as it is, not be allowed to stifle good nor deter Your purposes to bless. Thank You again for the gift of life and for the

privilege of being in this place. Through Christ our Lord we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 6 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (97-0).

Leaves of absence are granted Representatives R. Hunter, Justus, and Shubert for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 83, AN ACT TO ENACT THE UNIFORM STATUTORY RULE AGAINST PERPETUITIES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 190)

S.B. 154, AN ACT TO INCREASE THE MINIMUM PROPERTY DAMAGE AMOUNT FOR A REPORTABLE MOTOR VEHICLE ACCIDENT AND TO RESOLVE INCONSISTENCIES IN THE LAW CONCERNING ACCIDENT REPORTS. (CHAPTER 191)

S.B. 303, AN ACT TO PROVIDE FOR REMOVAL OF MEMBERS OF STATE BOARD OF COMMUNITY COLLEGES AFTER UNEXCUSED ABSENCES FROM THREE CONSECUTIVE SCHEDULED BOARD MEETINGS. (CHAPTER 192)

S.B. 353, AN ACT TO MAKE TECHNICAL AMENDMENTS AND CORRECTIONS IN THE INSURANCE LAWS. (CHAPTER 193)

S.B. 483, AN ACT TO REQUIRE THE INSPECTION OF BISON MEAT THAT IS TO BE USED AS FOOD. (CHAPTER 194)

H.B. 135, AN ACT TO MAKE CONFIDENTIAL ALL PHOTOGRAPHIC IMAGES AND SIGNATURES RECORDED BY THE DIVISION OF MOTOR VEHICLES FOR DRIVERS LICENSES AND SPECIAL IDENTIFICATION CARDS. (CHAPTER 195)

H.B. 507, AN ACT TO PROVIDE THAT THE LAWS RELATING TO

MOTOR VEHICLES APPLY ON STREETS OWNED BY THE COLINGTON HARBOUR ASSOCIATION, INC., IN DARE COUNTY, AND TO PROVIDE THAT THE TOWN OF MANTEO MAY REGULATE NOISE IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS EXTRATERRITORIAL JURISDICTION. (CHAPTER 196)

H.B. 546, AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT WITH RETRIEVABLE BALLOTS AND TO ALLOW CENTRAL COUNTING OF CURBSIDE BALLOTS IN GASTON, GUILFORD, MECKLENBURG, AND UNION COUNTIES. (CHAPTER 197)

H.B. 603, AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION FOR ALAMANCE COUNTY TO ENTER INTO A CONTRACT TO REPAIR THE ALAMANCE COUNTY COURTHOUSE AND TO PROVIDE THAT THE COUNTY OF EDGECOMBE MAY USE THE DESIGN/BUILD DELIVERY SYSTEM FOR THE CONSTRUCTION OF A COUNTY DETENTION FACILITY. (CHAPTER 198)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Tallent for the Committee on Financial Institutions:

S.B. 408, A BILL TO BE ENTITLED AN ACT TO ALLOW EQUITY LINE OF CREDIT AGREEMENTS TO HAVE TERMS GREATER THAN FIFTEEN YEARS AND TO ESTABLISH A PROCEDURE FOR EXTENDING EQUITY LINE OF CREDIT LOAN AGREEMENTS, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar for June 12.

S.B. 686, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE VOTING AUTHORITY OF MEMBERS OF THE STATE BANKING COMMISSION, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar for June 12.

S.B. 1086, A BILL TO BE ENTITLED AN ACT TO ALLOW BANKS

TO MAKE LOANS SECURED BY SHARES OF ITS OWN STOCK OR THAT OF ITS PARENT HOLDING COMPANY UNDER CERTAIN CIRCUMSTANCES, with a favorable report, and having received a unanimous vote in committee, is placed on the Consent Calendar for June 12.

By Representative Hiatt for the Permanent Subcommittee on Travel and Tourism:

H.B. 443, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL REAL ESTATE APPRAISERS TO BE LICENSED AND TO PROVIDE FOR THE REGISTRATION OF TRAINEE REAL ESTATE APPRAISERS, reported to the Standing Committee on Business and Labor with no action taken.

Committee Substitute for **H.B. 1066,** A BILL TO BE ENTITLED AN ACT TO IMPOSE A DISPOSAL TAX ON CONTAINERS THAT FAIL TO RECYCLE SUFFICIENTLY AND TO DISTRIBUTE THE REVENUE FROM THE DISPOSAL TAX ON CONTAINERS TO THE SOLID WASTE MANAGEMENT TRUST FUND, reported to the Standing Committee on Business and Labor, with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.B. 186, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SENTENCING COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 282, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ROCKINGHAM TO MAKE SATELLITE ANNEXATIONS OF LESS THAN AN ENTIRE SUBDIVISION WHEN THE PROPERTY IS DEVELOPED FOR COMMERCIAL OR INDUSTRIAL USE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 427, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE MOMEYER TOWN COUNCIL, with a

favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 8.

S.B. 618, A BILL TO BE ENTITLED AN ACT RELATING TO THE EMPLOYMENT PREFERENCE GIVEN BY CATAWBA COUNTY TO VETERANS WHO APPLY FOR COUNTY EMPLOYMENT, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 8. The original bill is placed on the Unfavorable Calendar.

S.J.R. 1096, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARY FRANCES POWELL SEYMOUR, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **S.B. 65,** A BILL TO BE ENTITLED AN ACT TO REGULATE CHECK-CASHING BUSINESSES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 82,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF PROPERTY COLLECTIBLE BY SMALL ESTATE AFFIDAVIT WHERE THE SOLE HEIR AND/OR DEVISEE IS THE SURVIVING SPOUSE, TO INCREASE THE MINIMUM AMOUNT OF INTESTATE PERSONAL PROPERTY PASSING TO THE SURVIVING SPOUSE, AND TO INCREASE THE AMOUNT OF THE YEAR'S ALLOWANCE FOR A SURVIVING SPOUSE AND CHILDREN, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO INCREASE THE LIMITATION FOR FUNERAL EXPENSES, with a favorable report as to House committee substitute bill, unfavorable as to

Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 127** A BILL TO BE ENTITLED AN ACT TO IMPOSE CRIMINAL PENALTIES FOR THE ABUSE, NEGLECT, OR EXPLOITATION OF DISABLED OR ELDER ADULTS LIVING IN A DOMESTIC SETTING, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 8. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 813, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE CHIEF OF THE COUNTY ELECTION STAFF FROM "SUPERVISOR OF ELECTIONS" TO "DIRECTOR OF ELECTIONS", with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 459, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CANCELLATION OF A NOTE OR OTHER INDEBTEDNESS SECURED BY A DEED OF TRUST OR MORTGAGE BY EXECUTION OF A CERTIFICATE OF SATISFACTION, is returned for concurrence in Senate amendment and placed on the Calendar for June 8.

Committee Substitute for **S.B. 563,** A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND TO CLARIFY THE ZONING JURISDICTION OF THE TOWN OF HUNTERSVILLE, is read the first time and referred to the Committee on Ways and Means.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Beall and without objection, Senate

Committee Substitute No. 2 for **H.B. 208,** A BILL TO BE ENTITLED AN ACT TO ALLOW EDGECOMBE, GREENE, JACKSON, AND MADISON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, is withdrawn from the Calendar and placed on the Calendar of June 8.

CALENDAR

Action is taken on the following:

H.B. 754, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A WATER AND SEWER AUTHORITY WAS FORMED BY A COUNTY AND ONE CITY, AND THE MAJORITY OF THE CUSTOMERS OF THE AUTHORITY ARE LOCATED WITHIN A CITY THAT IS NOT A MEMBER, THAT CITY MAY JOIN THE AUTHORITY AND APPOINT MEMBERS TO ITS GOVERNING BOARD.

On motion of Representative Morgan, the House concurs in the Senate amendment, by electronic vote (99-1), and the bill is ordered enrolled.

H.B. 799, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DEFINITION OF CREDIT ACCIDENT AND HEALTH INSURANCE.

On motion of Representative McMahan, the House concurs in the Senate amendment, by electronic vote (103-0), and the bill is ordered enrolled.

S.B. 481, A BILL TO BE ENTITLED AN ACT TO ALLOW THE LENOIR COUNTY BOARD OF EDUCATION TO BUILD A CENTRAL OFFICE FACILITY ON LAND LEASED FROM THE STATE OF NORTH CAROLINA, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 579, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CLEVELAND COUNTY BOARD OF EDUCATION TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 699, A BILL TO BE ENTITLED AN ACT TO ALLOW THE

TOWN OF RED SPRINGS TO SELL AT PRIVATE SALE A PARCEL OF PROPERTY DONATED TO THE TOWN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 6,** A BILL TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME.

Representative Grady calls the previous question on the passage of the bill and the call is sustained by electronic vote (105-7).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Hurley, Ives, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: Representative Linney.

Excused absences: Representatives R. Hunter, Justus, and Shubert - 3.

S.B. 277, A BILL TO BE ENTITLED AN ACT TO REMOVE THE FIFTY ACRE LIMITATION ON CONDEMNING PROPERTY FOR A SCHOOL SITE.

Representative Linney offers Amendment No. 1.

The Speaker rules the amendment to be material.

Amendment No. 1 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Aldridge, Allred, Capps, Clary, Cummings, Cunningham, Davis, Decker, Eddins, Ellis, Grady, Gray, Hightower, Howard, Hurley, Linney, Luebke, McAllister, McLaughlin, McMahan, Michaux, K. Miller, Nichols, Preston, J. Robinson, Shaw, Sherrill, Warner, and Wood - 29.

Voting in the negative: Representatives Adams, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Dickson, Dockham, Earle, Easterling, Edwards, Esposito, Fox, Gardner, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Hunt, Ives, Kiser, Lee, Lemmond, Locke, McComas, McCombs, McCrary, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Russell, Sexton, Sharpe, Sutton, Tallent, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 80.

Excused absences: Representatives R. Hunter, Justus, and Shubert - 3.

The bill passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Culp, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Edwards, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, Hurley, Ives, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 99.

Voting in the negative: Representatives Allred, Berry, Capps, Crawford,

Creech, Davis, Eddins, Ellis, Hightower, Linney, McComas, K. Miller, Nichols, J. Robinson, and Wood - 15.

Excused absences: Representatives R. Hunter, Justus, and Shubert - 3.

S.B. 501, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PARENTS OF A DEPENDENT CHILD WHO IS THE PARENT OF A DEPENDENT CHILD TO CONTRIBUTE TO THE SUPPORT OF THEIR GRANDCHILD.

Representative Richardson calls the previous question on the passage of the bill and the call is sustained by electronic vote (85-25).

The bill, as amended, passes its third reading, by electronic vote (86-28), and is ordered sent to the Senate for concurrence in House amendments.

H.J.R. 981, A JOINT RESOLUTION HONORING THE MEMORY OF UNDERAGE MILITARY VETERANS WHO DIED SERVING THEIR COUNTRY AND COMMENDING THE VETERANS OF UNDERAGE MILITARY SERVICE, INC., passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 832, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE COURT OF APPEALS TO HEAR APPEALS IN CRIMINAL CASES IN WHICH LIFE SENTENCES ARE IMPOSED, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Representatives Allred and Wainwright state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (108-0).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 737,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT COUNTIES PAY THEIR LOCAL SHARE OF

PUBLIC ASSISTANCE PROGRAM BENEFITS BY ELECTRONIC FUNDS TRANSFER.

On motion of Representative Howard, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 20, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL IMPROVEMENT AND ACCOUNTABILITY ACT OF 1989.

On motion of Representative Russell, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 84,** A BILL TO BE ENTITLED AN ACT TO PLACE TIME LIMITS ON OPTIONS IN GROSS AND OTHER INTERESTS IN LAND, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

S.B. 836, A BILL TO BE ENTITLED AN ACT TO ENHANCE PARENTAL SUPPORT OF CHILDREN BY AMENDING THE LAW PERTAINING TO CIVIL ACTIONS TO ESTABLISH PATERNITY.

On motion of Representative Richardson, the bill is temporarily displaced.

House Committee Substitute for **S.B. 679,** A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN ACTIONS OF WATER AND SEWER DISTRICTS AND TO PROVIDE FOR PAYMENT OF RELOCATION COSTS OF WATER AND SEWER LINES BELONGING TO CERTAIN MUNICIPALITIES, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

S.B. 836, A BILL TO BE ENTITLED AN ACT TO ENHANCE PARENTAL SUPPORT OF CHILDREN BY AMENDING THE LAW PERTAINING TO CIVIL ACTIONS TO ESTABLISH PATERNITY, which

was temporarily displaced, is before the Body.

Representative Linney offers Amendment No. 1 which is adopted by electronic vote (94-19).

The bill, as amended, passes its second reading, by electronic vote (102-9).

Representative Gardner objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Beall and without objection, Senate Committee Substitute No. 2 for **H.B. 208,** A BILL TO BE ENTITLED AN ACT TO ALLOW EDGECOMBE, GREENE, JACKSON, AND MADISON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, is withdrawn from the Calendar of June 8 and ordered returned to the Senate for further consideration pursuant to a Special Message received on June 6.

On motion of Representative Russell and without objection, **S.B. 20,** A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL IMPROVEMENT AND ACCOUNTABILITY ACT OF 1989, which was temporarily displaced, is withdrawn from today's Calendar and placed on the Calendar of June 8.

CALENDAR (continued)

Committee Substitute for **S.B. 737,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT COUNTIES PAY THEIR LOCAL SHARE OF PUBLIC ASSISTANCE PROGRAM BENEFITS BY ELECTRONIC FUNDS TRANSFER, which was temporarily displaced, is before the Body.

Representative Hightower inquires of the Chair if the bill should be re-referred to the Committee on Finance. The Chair rules that the bill does not need to be re-referred to the Committee on Finance.

The bill passes its second reading by electronic vote (106-4).

Representative Howard objects to the third reading. The bill remains on the Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Wood for the Committee on Education:

Committee Substitute for **S.B. 26,** A BILL TO BE ENTITLED AN ACT TO ENABLE LOCAL BOARDS OF EDUCATION TO EXPEL FROM SCHOOL THOSE STUDENTS WHOSE CONTINUED PRESENCE IN SCHOOL CONSTITUTES A CLEAR THREAT TO THE SAFETY AND HEALTH OF OTHER STUDENTS OR EMPLOYEES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 51,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A ONE-YEAR SUSPENSION FOR ANY STUDENT WHO BRINGS CERTAIN WEAPONS ONTO SCHOOL PROPERTY AND TO ALLOW THE SUPERINTENDENT TO MODIFY THE SUSPENSION FOR CHILDREN WITH SPECIAL NEEDS OR BY PROVIDING AN ALTERNATIVE SCHOOL SETTING, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.B. 349, A BILL TO BE ENTITLED AN ACT TO REVISE THE MEMBERSHIP OF THE HOUSING COORDINATION AND POLICY COUNCIL, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative G. Robinson for the Committee on Business and Labor:

Committee Substitute for **S.B. 519,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PURCHASE OF COMMODITIES AND SERVICES OFFERED BY BLIND AND BY SEVERELY DISABLED PERSONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 612,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE BUILDING CODE COUNCIL TO ADOPT ALTERNATIVE SAFETY SYSTEMS FOR BUILDINGS BUILT PRIOR TO 1953, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 754, A BILL TO BE ENTITLED AN ACT TO ALLOW MOTOR VEHICLE DEALERS TO INCLUDE IN THEIR POSSESSORY LIENS AMOUNTS FOR RENTAL OF SUBSTITUTE VEHICLES AND TO ALLOW LIENORS WHO PURCHASE FOR VALUE AT A SALE TO ACQUIRE CLEAR TITLE TO THE SAME EXTENT AS OTHER PURCHASERS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 999,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE COST LIMIT ON WORK THAT CAN BE PERFORMED BY GOVERNMENTAL FORCE ACCOUNT LABOR, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

RE-REFERRALS

On motion of Representative Gray, pursuant to Rule 39.2, Committee Substitute for **S.B. 331,** A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED TOLERANCE FOR EXISTING TRUCK WEIGHTS, is withdrawn from the Committee on Finance and re-referred to the Committee on Ways and Means.

On motion of Representative Neely, pursuant to Rule 39.2, **S.B. 4,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROVIDING THAT A DEFENDANT MAY CHOOSE IMPRISONMENT RATHER THAN PROBATION OR AN ALTERNATIVE PUNISHMENT AND TO AMEND THE CONSTITUTION TO PROVIDE THAT PROBATION, RESTITUTION, COMMUNITY SERVICE, WORK PROGRAMS, AND OTHER RESTRAINTS ON LIBERTY ARE PUNISHMENTS THAT MAY BE IMPOSED ON A PERSON CONVICTED OF A CRIMINAL OFFENSE, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

On motion of Representative Morgan, seconded by Representative Culpepper, the House adjourns at 2:43 p.m. to reconvene June 8 at 1:30 p.m.

SEVENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 8, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, thank You for another week and for the privilege of serving the people of our districts, but it will be good to head home again to catch up on chores there, and to relax with family and friends. As Session winds down, we feel a bit apprehensive and some gratification too. Some of our bills just haven't gone well while others have done fairly good. Have I done what I could, did I do what I should? Have I won respect from colleagues and friends? Do I feel good about how I feel about me?

'Keep me vigilant, Lord,
In the fights yet to come.
Let my judgments be strong, clear and true,
May I vote for no bill,
No matter how I might feel,
That could not be voted for by You.'

"Father, in the Clerk's office, bless Pauletta and her husband as he struggles for life yet to live, and Carmen and her baby as they struggle to keep life just begun. Fold both them and us in Your arms, and may we each feel a supernatural and heartwarming hug. In Your name we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 7 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (95-0).

Leaves of absence are granted Representatives Barnes, Hurley, and Justus for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Miner for the Committee on Transportation:

S.B. 988, A BILL TO BE ENTITLED AN ACT TO PROVIDE RELIEF FROM THE WEIGHT LIMITATIONS FOR RECOVERED MATERIALS HAULERS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Having received a unanimous vote in committee, the House committee substitute bill is placed on the Consent Calendar for June 13. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards for the Committee on State Government:

S.B. 447, A BILL TO BE ENTITLED AN ACT TO PROHIBIT BOARDS OF COUNTY COMMISSIONERS AND CITY COUNCILS FROM APPOINTING MORE THAN ONE OF THEIR OWN MEMBERS TO SERVE ON ANY PUBLIC BOARD OR COMMISSION EXCEPT WHERE A STATUTE REQUIRES A MEMBER OF THAT BOARD TO SERVE, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

S.B. 714, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM RELATING TO NOTIFICATION REQUIREMENTS FOR REZONING ANNEXED PROPERTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 708, A BILL TO BE ENTITLED AN ACT REGARDING THE PROCEDURE FOR LETTING PUBLIC CONTRACTS BY THE CITY OF CHARLOTTE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative G. Robinson for the Committee on Business and Labor:

S.B. 1042, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS REGARDING GUARANTEED ENERGY SAVINGS CONTRACTS IN ORDER TO ENHANCE THE VIABILITY OF GUARANTEED ENERGY SAVINGS CONTRACTS BY LOCAL GOVERNMENTAL UNITS AND TO REPEAL THE SUNSET FOR LOCAL GOVERNMENTAL UNITS TO ENTER INTO THESE CONTRACTS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 554, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PURCHASE OF GOODS AND SERVICES FOR PERSONS WITH DISABILITIES UNDER PROCEDURES THAT ALLOW FLEXIBILITY TO MEET INDIVIDUAL NEEDS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Tallent for the Committee on Financial Institutions:

S.B. 332, A BILL TO BE ENTITLED AN ACT TO RAISE THE

MAXIMUM LATE PAYMENT CHARGE FOR REVOLVING CREDIT LOANS, with a favorable report as to House committee substitute bill, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The House committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative Culp for the Committee on Public Employees:

H.B. 953, A BILL TO BE ENTITLED AN ACT PROVIDING EARLY RETIREMENT OPTIONS TO STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT WHO ARE SEPARATED FROM EMPLOYMENT DUE TO REDUCTIONS IN FORCE AND OTHERWISE RELATING TO THE RIGHTS AND BENEFITS OF EMPLOYEES SEPARATED FROM STATE EMPLOYMENT DUE TO REDUCTIONS IN FORCE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

S.B. 256, A BILL TO BE ENTITLED AN ACT TO REMOVE LANGUAGE REQUIRING AN ATTORNEY'S OPINION AND WRITTEN STATEMENT IN APPEALS BY INDIGENTS OF A JUDGMENT IN A CIVIL ACTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 307, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SANITARY DISTRICTS TO HAVE THE RIGHT TO IMMEDIATE POSSESSION OF CERTAIN PROPERTY ACQUIRED BY EMINENT DOMAIN, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the House committee substitute bill is re-referred to the Committee on Finance. The original bill is

placed on the Unfavorable Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 277, AN ACT TO REMOVE THE FIFTY ACRE LIMITATION ON CONDEMNING PROPERTY FOR A SCHOOL SITE. (CHAPTER 199)

S.B. 481, AN ACT TO ALLOW THE LENOIR COUNTY BOARD OF EDUCATION TO BUILD A CENTRAL OFFICE FACILITY ON LAND LEASED FROM THE STATE OF NORTH CAROLINA. (CHAPTER 200)

S.B. 579, AN ACT TO AUTHORIZE THE CLEVELAND COUNTY BOARD OF EDUCATION TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE. (CHAPTER 201)

S.B. 643, AN ACT TO PROVIDE FOR PRIOR NOTICE OF SEWER SYSTEM MORATORIA TO THE AFFECTED UNIT OF GOVERNMENT AND TO THE PUBLIC. (CHAPTER 202)

S.B. 699, AN ACT TO ALLOW THE TOWN OF RED SPRINGS TO SELL AT PRIVATE SALE A PARCEL OF PROPERTY DONATED TO THE TOWN. (CHAPTER 203)

S.B. 832, AN ACT TO PROVIDE FOR THE COURT OF APPEALS TO HEAR APPEALS IN CRIMINAL CASES IN WHICH LIFE SENTENCES ARE IMPOSED. (CHAPTER 204)

S.B. 886, AN ACT TO AMEND THE HOSPITAL COOPERATION ACT REGARDING COOPERATIVE AGREEMENTS. (CHAPTER 205)

H.B. 634, AN ACT RELATING TO THE AUTHORITY AND JURISDICTION OF CITY LAW ENFORCEMENT OFFICERS WHILE TRANSPORTING PERSONS IN CUSTODY WITHIN THE STATE. (CHAPTER 206)

H.B. 754, AN ACT TO PROVIDE THAT WHEN A WATER AND SEWER AUTHORITY WAS FORMED BY A COUNTY AND ONE CITY, AND THE MAJORITY OF THE CUSTOMERS OF THE AUTHORITY ARE LOCATED WITHIN A CITY THAT IS NOT A MEMBER, THAT CITY

MAY JOIN THE AUTHORITY AND APPOINT MEMBERS TO ITS GOVERNING BOARD. (CHAPTER 207)

H.B. 799, AN ACT TO MODIFY THE DEFINITION OF CREDIT ACCIDENT AND HEALTH INSURANCE. (CHAPTER 208)

H.B. 805, AN ACT TO RESTORE MINIMUM PENALTIES FOR MAJOR WILDLIFE OFFENSES AND TO MAKE OTHER MINOR REVISIONS TO THE PENALTY PROVISIONS FOR WILDLIFE OFFENSES. (CHAPTER 209)

H.B. 812, AN ACT TO REENACT, WITH MODIFICATIONS, CERTAIN MISDEMEANORS RELATING TO FIRES. (CHAPTER 210)

H.J.R. 981, A JOINT RESOLUTION HONORING THE MEMORY OF UNDERAGE MILITARY VETERANS WHO DIED SERVING THEIR COUNTRY AND COMMENDING THE VETERANS OF UNDERAGE MILITARY SERVICE, INC. (RESOLUTION 9)

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 6,** A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, AND TO MAKE CONFORMING STATUTORY CHANGES, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 12.

Committee Substitute for **H.B. 272,** A BILL TO BE ENTITLED AN ACT TO ALLOW PARTIAL DISTRIBUTION AWARDS PRIOR TO FINAL JUDGMENT IN EQUITABLE DISTRIBUTION CASES, is returned for concurrence in Senate amendment and placed on the Calendar for June 12.

Senate Committee Substitute for **H.B. 766,** A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE UNIFORM THE LAWS REGARDING THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OLD, is returned for

concurrence in Senate committee substitute and placed on the Calendar for June 12.

Senate Committee Substitute for **H.B. 955,** A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 12.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, **S.B. 412,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW CONCERNING THE FEDERAL PREEMPTION OF STATE USURY LAWS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 618,** A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT P. GRUBER AS EXECUTIVE DIRECTOR OF THE PUBLIC STAFF OF THE NORTH CAROLINA UTILITIES COMMISSION, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

H.B. 459, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CANCELLATION OF A NOTE OR OTHER INDEBTEDNESS SECURED BY A DEED OF TRUST OR MORTGAGE BY EXECUTION OF A CERTIFICATE OF SATISFACTION.

On motion of Representative Sutton, the House does not concur in the Senate amendment, by electronic vote (101-5), and conferees are requested.

The Chair appoints Representatives Sutton, Lemmond, and Kiser as conferees on the part of the House and the Senate is so notified by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 717, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE MOORE COUNTY BOARD OF COMMISSIONERS TO REDISTRICT THEIR RESIDENCY DISTRICTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 427, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE MOMEYER TOWN COUNCIL, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute No. 2 for **H.B. 5,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PUBLIC ASSISTANCE PERSONAL AND FAMILY RESPONSIBILITY ACT OF 1995 AND TO REAUTHORIZE THE LEGISLATIVE STUDY COMMISSION ON WELFARE REFORM, is withdrawn from the Calendar and placed on the Calendar of June 15.

CALENDAR (continued)

Committee Substitute for **S.B. 737,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT COUNTIES PAY THEIR LOCAL SHARE OF PUBLIC ASSISTANCE PROGRAM BENEFITS BY ELECTRONIC FUNDS TRANSFER.

Representative Hightower offers Amendment No. 1.

On motion of Representative Hightower, the bill with pending Amendment No. 1, is temporarily displaced.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative G. Miller and without objection, **S.B. 836,** A BILL TO BE ENTITLED AN ACT TO ENHANCE PARENTAL SUPPORT OF CHILDREN BY AMENDING THE LAW PERTAINING TO CIVIL ACTIONS TO ESTABLISH PATERNITY, is withdrawn from the

Calendar and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan and without objection, Committee Substitute No. 2 for **H.B. 168,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF CHILD SUPPORT BY CREATING ADDITIONAL REMEDIES, is withdrawn from the Calendar and placed on the Calendar of June 15.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 399,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF PODIATRY.

On motion of Representative Nichols, Committee Amendment No. 1 fails of adoption by electronic vote (5-103).

Representative Richardson offers Amendment No. 2 which is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading by electronic vote (85-25).

Representative Gamble objects to the third reading. The bill remains on the Calendar.

S.B. 818, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BIRTH DEFECTS MONITORING PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES.

On motion of Representative Dickson, the bill is temporarily displaced.

S.B. 241, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO SELL SOUVENIRS ON FERRIES AND AT FERRY FACILITIES, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 240, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERFORM DREDGING SERVICES FOR UNITS OF LOCAL GOVERNMENT.

On motion of Representative Beall, Committee Amendment No. 1 is adopted by electronic vote (102-0).

The bill, as amended, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S.B. 818, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BIRTH DEFECTS MONITORING PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, which was temporarily displaced, is before the Body.

On motion of Representative Dickson, Committee Amendment No. 1 is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Committee Substitute for **S.B. 560,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY DIRECTOR OF SOCIAL SERVICES TO DELEGATE THE FUNCTION OF ISSUING YOUTH EMPLOYMENT CERTIFICATES, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 477, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA FOREIGN-MONEY CLAIMS ACT, WHICH ACT ESTABLISHES A STANDARD FOR CONVERTING CURRENCY FOR MONETARY DAMAGES RESULTING FROM A FOREIGN JUDICIAL PROCEEDING OR ARBITRATION, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hensley and without objection, **S.B. 379,** A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON THE JUVENILE CODE TO ALLOW COURTS TO ORDER PSYCHIATRIC OR PSYCHOLOGICAL TREATMENT OF PARENTS OF JUVENILES ADJUDICATED DELINQUENT, UNDISCIPLINED, ABUSED, NEGLECTED, OR DEPENDENT AT THE DISPOSITIONAL HEARINGS OR SUBSEQUENT HEARINGS AND TO PROVIDE FOR NOTICE, is withdrawn from the Calendar and placed on the Calendar of June 13.

CALENDAR (continued)

S.B. 20, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL IMPROVEMENT AND ACCOUNTABILITY ACT OF 1989.

On motion of Representative Eddins, Committee Amendment No. 1 is adopted by electronic vote (106-0).

The bill, as amended, passes its second reading by electronic vote (101-3).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 687,** A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 11 OF CHAPTER 130A OF THE GENERAL STATUTES REGARDING WASTEWATER SYSTEMS.

Representative Baker offers Amendment No. 1 which is adopted by electronic vote (96-10).

The bill, as amended, passes its second reading, by electronic vote (102-6).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 775,** A BILL TO BE ENTITLED AN ACT TO DEFINE CLIENTS ELIGIBLE FOR WILLIE M. SERVICES, TO AUTHORIZE THE ADOPTION OF RULES TO DETERMINE ELIGIBILITY, TO ENSURE THE PROVISION OF SERVICES, AND TO

PROVIDE FOR CONTESTED CASE HEARING PROVISION.

Representative Michaux inquires of the Chair if the bill should be re-referred to the Committee on Finance.

On motion of Representative Gardner, the bill is temporarily displaced.

House Committee Substitute for **S.B. 127** A BILL TO BE ENTITLED AN ACT TO IMPOSE CRIMINAL PENALTIES FOR THE ABUSE, NEGLECT, OR EXPLOITATION OF DISABLED OR ELDER ADULTS LIVING IN A DOMESTIC SETTING, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **S.B. 737,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT COUNTIES PAY THEIR LOCAL SHARE OF PUBLIC ASSISTANCE PROGRAM BENEFITS BY ELECTRONIC FUNDS TRANSFER, which was temporarily displaced with pending Amendment No. 1, is before the Body.

Representative Hightower withdraws Amendment No. 1.

Representative Hightower offers new Amendment No. 1 which is adopted by electronic vote (96-5).

The bill, as amended, passes its third reading, by electronic vote (101-0), and is ordered sent to the Senate for concurrence in House amendment.

House Committee Substitute for **S.B. 775,** A BILL TO BE ENTITLED AN ACT TO DEFINE CLIENTS ELIGIBLE FOR WILLIE M. SERVICES, TO AUTHORIZE THE ADOPTION OF RULES TO DETERMINE ELIGIBILITY, TO ENSURE THE PROVISION OF SERVICES, AND TO PROVIDE FOR CONTESTED CASE HEARING PROVISION, which was temporarily displaced, is before the Body.

In response to an earlier inquiry by Representative Michaux, the Chair rules that it is not necessary for the bill to be re-referred to the Committee on Finance.

The bill passes its second reading, by electronic vote (106-0), and there

being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 8, 1995

Mr. Speaker:

It is ordered that a message be sent your Honorable Body respectfully notifying you the Senate pursuant to G.S. 126-2 has confirmed the appointments by the Governor of Allen Wellons and George Allison to the State Personnel Commission, for terms beginning July 1, 1995 and expiring on June 30, 2001 to the end that when your Honorable Body takes a like action, the appointments are confirmed.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Wood for the Committee on Education:

Committee Substitute for **S.B. 140,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PURPOSE FOR A MOMENT OF SILENCE IN THE PUBLIC SCHOOLS AND TO PROHIBIT LOCAL BOARDS OF EDUCATION FROM ADOPTING POLICIES THAT DENY CERTAIN FIRST AMENDMENT RIGHTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 281,** A BILL TO BE ENTITLED AN ACT TO CREATE THE RESIDENTIAL PROPERTY DISCLOSURE ACT, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar for June 12. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 540,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF EIGHT HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF HE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 807, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE CRIMINAL RECORD CHECKS TO HOME CARE AGENCIES AND HOSPICES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 12.

H.B. 1058, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE TAX LAW IN LIGHT OF FEDERAL LAW PREEMPTING STATE REGULATION OF MOST MOTOR FREIGHT CARRIERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 12.

Committee Substitute for **S.B. 268,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FEES PAID BY BORROWERS TO LOSS RESERVE ACCOUNTS OF STATE-FUNDED ECONOMIC DEVELOPMENT PROGRAMS ARE NOT CONSIDERED INTEREST OR SUBJECT TO CLAIMS OR DEFENSES OF USURY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 414,** A BILL TO BE ENTITLED AN ACT TO "OPT-IN" FOR INTERSTATE BRANCHING AUTHORITY UNDER THE RIEGLE-NEAL INTERSTATE BANKING AND BRANCHING EFFICIENCY ACT OF 1994, AND TO MAKE A CONFORMING CHANGE TO THE REVENUE LAWS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 693, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO IMPROVE THE ADMINISTRATION OF THE PROPERTY TAX ON MOTOR VEHICLES, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 975, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPOSIT O TOBACCO ASSESSMENT FUNDS WITH THE NORTH CAROLINA TOBACCO FOUNDATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 12.

By Representative Dockham for the Committee on Insurance:

Committee Substitute for **S.B. 345,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 652, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES PERTAINING TO SMALL EMPLOYER HEALTH CARE COVERAGE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 12.

By Representative G. Robinson for the Committee on Business and Labor:

Committee Substitute for **S.B. 300,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO PLEDGE BLOCK GRANT FUNDS AS LOAN GUARANTEES PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

On motion of Representative Morgan, seconded by Representative Davis, the House adjourns at 3:02 p.m. to reconvene Monday, June 12, 1995, at 7:00 p.m.

SEVENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 12, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Ray Lamb, Back Creek Friends Meeting of Randolph County.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 8 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (89-0).

Leaves of absence are granted Representatives W. Brown, Buchanan, Nichols, Sharpe, and Thompson for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 241, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO SELL SOUVENIRS ON FERRIES AND AT FERRY FACILITIES. (CHAPTER 211)

S.B. 427, AN ACT TO PROVIDE STAGGERED TERMS FOR THE MOMEYER TOWN COUNCIL. (CHAPTER 212)

S.B. 477, AN ACT TO ENACT THE NORTH CAROLINA FOREIGN-MONEY CLAIMS ACT, WHICH ACT ESTABLISHES A STANDARD FOR CONVERTING CURRENCY FOR MONETARY DAMAGES RESULTING FROM A FOREIGN JUDICIAL PROCEEDING OR ARBITRATION. (CHAPTER 213)

S.B. 560, AN ACT TO AUTHORIZE A COUNTY DIRECTOR OF SOCIAL SERVICES TO DELEGATE THE FUNCTION OF ISSUING YOUTH EMPLOYMENT CERTIFICATES. (CHAPTER 214)

S.B. 717, AN ACT TO REQUIRE THE MOORE COUNTY BOARD OF COMMISSIONERS TO REDISTRICT THEIR RESIDENCY DISTRICTS. (CHAPTER 215)

H.B. 366, AN ACT TO DIRECT THE UTILITIES COMMISSION TO ISSUE CERTIFICATES OF CONVENIENCE AND NECESSITY FOR NATURAL GAS SERVICE FOR ALL AREAS OF THE STATE FOR WHICH CERTIFICATES HAVE NOT BEEN ISSUED. (CHAPTER 216)

H.B. 424, AN ACT TO MAKE TECHNICAL CHANGES REGARDING THE INSPECTION OF ELEVATORS AND RELATED DEVICES, AND REGARDING THE COLLECTION OF FEES THEREFOR. (CHAPTER 217)

H.B. 526, AN ACT TO INCREASE THE INFORMAL BID LIMITS RELATING TO THE LETTING OF PURCHASE CONTRACTS BY THE CITY OF GREENSBORO. (CHAPTER 218)

H.B. 618, AN ACT TO INCREASE THE THRESHOLD AT WHICH MECKLENBURG COUNTY AND THE MUNICIPALITIES WITHIN THE

H.B. 647, AN ACT TO ALLOW RECALL OF THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF ABERDEEN. (CHAPTER 220)

H.B. 696, AN ACT TO DESIGNATE THE CHIEF OF MEDICAL STAFF OF JOHNSTON MEMORIAL HOSPITAL AS AN EX OFFICIO TRUSTEE OF THE COUNTY HOSPITAL AUTHORITY. (CHAPTER 221)

H.B. 736, AN ACT TO CONFORM THE NORTH CAROLINA FINANCIAL PRIVACY ACT TO THE FEDERAL RIGHT TO FINANCIAL PRIVACY ACT. (CHAPTER 222)

H.B. 787, AN ACT TO PROVIDE FOR DIRECT PAYMENT OF LICENSED PHARMACISTS UNDER HEALTH INSURANCE POLICIES AND PLANS. (CHAPTER 223)

H.B. 849, AN ACT TO PERMIT THE ISSUANCE OF ABC PERMITS AT SPORTS CLUBS IN CERTAIN COUNTIES. (CHAPTER 224)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

Committee Substitute No. 2 for **S.B. 57,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL AND TO MAKE OTHER CHANGES IN THE ABC LAWS, with a favorable report as to House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 119,** A BILL TO BE ENTITLED AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER

WITHOUT COMPENSATION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 616, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY TO MAIM, TO SERIOUSLY INJURE, OR TO KILL A LAW-ENFORCEMENT ANIMAL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 724, A BILL TO BE ENTITLED AN ACT TO DESCRIBE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

S.B. 4, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROVIDING THAT A DEFENDANT MAY CHOOSE IMPRISONMENT RATHER THAN PROBATION OR AN ALTERNATIVE PUNISHMENT AND TO AMEND THE CONSTITUTION TO PROVIDE THAT PROBATION, RESTITUTION, COMMUNITY SERVICE, WORK PROGRAMS, AND OTHER RESTRAINTS ON LIBERTY ARE PUNISHMENTS THAT MAY BE IMPOSED ON A PERSON CONVICTED OF A CRIMINAL OFFENSE, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 159,** A BILL TO BE ENTITLED AN ACT TO REWRITE CHAPTER 48 OF THE GENERAL STATUTES RELATING TO ADOPTION AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House committee substitute bill,

unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 244,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SUMMARY ADMINISTRATION OF AN ESTATE WHERE A SURVIVING SPOUSE IS THE SOLE BENEFICIARY OF THE ESTATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute No. 2 for **S.B. 287,** A BILL TO BE ENTITLED AN ACT TO CREATE OFFENSES OF STATUTORY RAPE AND STATUTORY SEXUAL OFFENSE AGAINST VICTIMS WHO ARE THIRTEEN, FOURTEEN, OR FIFTEEN YEARS OLD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 13.

By Representative McMahan, Vice-Chair, for the Committee on Education:

S.B. 1078, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL BOARDS OF EDUCATION TO HAVE MATERIALS POSTED TO EDUCATE STUDENTS ABOUT THE MORAL, ETHICAL, AND VIRTUOUS PRINCIPLES OF THE WORLD'S RELIGIONS AND THE GREAT PHILOSOPHERS OF CIVILIZATION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representatives Holmes, Creech, and Esposito, Co-Chairs for the Standing Committee on Appropriations, refer the following bills to the Permanent Subcommittee on Education:

Committee Substitute for **H.B. 42,** A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS;

Committee Substitute for **H.B. 74,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EDUCATION FOUNDATIONS;

Committee Substitute for **H.B. 105,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND AND THE MONTHLY MEMBER CONTRIBUTION AND TO DECLARE THE INTENT OF THE LEGISLATURE TO PROVIDE COST-OF-LIVING INCREASES, AS FUNDS ARE AVAILABLE, AND TO UPDATE THE REFERENCE TO THE NORTH CAROLINA ASSOCIATION OF RESCUE AND EMERGENCY MEDICAL SERVICES, INC.;

Committee Substitute for **H.B. 109,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HIGH SCHOOL AGE CHILDREN WHO DO NOT ATTEND SCHOOL SHALL NOT BE ELIGIBLE FOR DRIVERS LICENSES;

H.B. 110, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO PROVIDE LIABILITY INSURANCE FOR PUBLIC SCHOOL EMPLOYEES;

Committee Substitute for **H.B. 180,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE ALTERNATIVE SCHOOLS COMMITTEE OF THE LEGISLATIVE RESEARCH COMMISSION;

H.B. 234, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SUPPLEMENTS FOR TEACHERS IN FACILITIES OPERATED BY THE DIVISION OF YOUTH SERVICES;

H.B. 252, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LOW-WEALTH SCHOOL SYSTEMS' SUPPLEMENTAL FUNDING;

H.B. 334, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE RENOVATION AND EXPANSION OF THE RUDOLPH JONES STUDENT CENTER AT FAYETTEVILLE STATE UNIVERSITY;

H.B. 335, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE CONSTRUCTION OF A FINE ARTS BUILDING AT FAYETTEVILLE STATE UNIVERSITY;

H.B. 363, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMPLETION OF THE STUDENT ACTIVITY CENTER AT THE EASTERN SCHOOL FOR THE DEAF;

H.B. 512, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY COLLEGE STUDENTS ENROLLED IN HEALTH PROGRAMS ARE SUBJECT TO THE SAME IMMUNIZATION REQUIREMENTS AS FOR OTHER COLLEGE AND UNIVERSITY STUDENTS;

H.B. 641, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE FOR A MODEL CLINICAL TEACHING NETWORK IN EASTERN NORTH CAROLINA;

H.B. 781, A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE FUNDING OF K-12 LEGISLATIVE TUITION GRANTS TO PARENTS OF SCHOOL-AGED CHILDREN IN NORTH CAROLINA;

H.B. 818, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A TOWER FOR THE UNIVERSITY OF NORTH CAROLINA CENTER FOR PUBLIC TELEVISION IN ROBESON COUNTY;

H.B. 896, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MCSMILES PROGRAM, A MOBILE PRESCHOOL PROGRAM FOR PRESCHOOL-AGED CHILDREN AND THEIR PARENTS;

H.B. 902, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PARENTS AS TEACHERS PROGRAMS;

Committee Substitute for **H.B. 954,** A BILL TO BE ENTITLED AN ACT TO PERMIT PARENTS TO CHOOSE THE EDUCATIONAL SETTING THAT BEST HELPS THEIR CHILD LEARN;

H.B. 991, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE SERVICES TO LIMITED ENGLISH PROFICIENCY (LEP) STUDENTS;

H.B. 998, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE MODEL TEACHER EDUCATION CONSORTIUM;

H.B. 1008, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES TO SUPPORT ADULT LITERACY PROGRAMS;

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AGRICULTURAL RESEARCH AND EXTENSION PROGRAMS AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

H.B. 1015, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF SOCIAL STUDIES TEXTBOOKS FOR GRADES FOUR THROUGH SEVEN OR TO USE TEXTBOOK FUNDS FOR THAT PURPOSE;

H.B. 1026, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT A NEW SALARY SCHEDULE FOR CERTIFIED SCHOOL SUPERVISORS, DIRECTORS, AND COORDINATORS;

H.B. 1033, A BILL TO BE ENTITLED AN ACT TO CREATE THE PIEDMONT TRIAD HORIZON EDUCATION CONSORTIUM PUBLIC SCHOOL PILOT PROJECT;

H.B. 1034, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXCEPTIONAL CHILDREN;

H.B. 1035, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE DEPARTMENT OF COMMUNITY COLLEGES FOR THE CONSTRUCTION AND IMPROVEMENT OF MARINE SCIENCES FACILITIES IN CARTERET COUNTY;

H.B. 1041, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DEVELOP OR PURCHASE MODEL PLANS FOR PUBLIC SCHOOLS;

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR PLANNING A NEW CLASSROOM AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY; and

S.B. 431, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE CHARLOTTE-MECKLENBURG SCHOOL FUNDING PILOT.

Representatives Holmes, Creech, and Esposito, Co-Chairs for the Standing Committee on Appropriations, refer the following bills to the Permanent Subcommittee on General Government:

Committee Substitute for **H.B. 184,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF SELF-INSURANCE TRUST FUNDS TO PROVIDE PROFESSIONAL LIABILITY INSURANCE COVERAGE FOR STATE EMPLOYEES AND TO APPROPRIATE FUNDS TO A RESERVE FUND TO PROVIDE THE INITIAL FUNDING IF THE TRUST IS CREATED;

H.B. 256, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMUNITY-BASED PARTNERSHIP AND GRANT PROGRAM AND TO ESTABLISH A GRANTS INFORMATION NETWORK;

H.B. 263, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF DREXEL IN BURKE COUNTY FOR CONSTRUCTION OF PUBLIC FACILITIES ON THE TOWN'S FAIRGROUND PROPERTY;

H.B. 286, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS TO REINSTATE THE STUDENTS AGAINST DRIVING DRUNK (SADD) COORDINATOR POSITION;

H.B. 320, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS OF THE ROLLINS ANIMAL DISEASE DIAGNOSTIC

LABORATORY;

H.B. 321, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR INTERNATIONAL AGRICULTURAL MARKETING;

H.B. 322, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR A GRAIN GRADING TRAINING PROGRAM;

H.B. 323, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANSION OF MYCOPLASMA AND BACTERIOLOGY SERVICES;

H.B. 324, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR MEAT AND POULTRY INSPECTION;

H.B. 355, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANSION AND IMPROVEMENT OF THE DEPARTMENT'S IRRIGATION WATER ANALYSIS AND ADVISORY SERVICE;

H.B. 356, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANDING THE ANIMAL WASTE MANAGEMENT ADVISORY SERVICES;

Committee Substitute for **H.B. 365,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENTS THAT A CORPORATION AND A NONPROFIT CORPORATION FILE AN ANNUAL REPORT WITH AND PAY AN ANNUAL REPORT FILING FEE TO THE OFFICE OF THE SECRETARY OF STATE;

H.B. 384, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE BIOLOGICAL PEST CONTROL PROGRAM WITHIN THE DEPARTMENT OF AGRICULTURE;

H.B. 395, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF LABOR FOR CRITICALLY NEEDED STAFF AND EQUIPMENT;

H.B. 414, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR THE PROTECTION OF THE HONEY BEE AND HONEY INDUSTRY;

H.B. 418, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AID TO PUBLIC LIBRARIES FUND;

H.B. 426, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS AT THE FARMERS MARKET IN RALEIGH;

H.B. 433, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF LABOR FOR EXPANSION OF THE APPRENTICESHIP PROGRAM;

H.B. 482, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS AT THE WESTERN NORTH CAROLINA FARMERS MARKET;

H.B. 483, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR OPERATION OF THE WESTERN NORTH CAROLINA FARMERS MARKET;

H.B. 484, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR A NEW WHOLESALE BUILDING AT THE WESTERN NORTH CAROLINA FARMERS MARKET;

Committee Substitute for **H.B. 490,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNUAL REPORTS OF BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, TO ESTABLISH FEES FOR EXPEDITED FILINGS, TO PROVIDE THAT NONPROFIT RELIGIOUS CORPORATIONS ARE NOT REQUIRED TO FILE ANNUAL REPORTS, AND TO ALLOW THE SECRETARY OF STATE TO RETAIN FILED DOCUMENTS IN REPRODUCED FORM;

H.B. 500, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES, DIVISION OF STATE LIBRARY, TO PROVIDE GRANTS TO PUBLIC LIBRARIES FOR CONSTRUCTION, PLANNING, AND RENOVATION

PROJECTS;

H.B. 530, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE AND EMERGENCY STABILIZATION OF THE SHOOK-SMATHERS HOUSE;

H.B. 547, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF A SOUTHEASTERN FARMERS' MARKET AND EQUESTRIAN/AGRICULTURAL CENTER;

H.B. 551, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A GRASSROOTS SCIENCE MUSEUM PROGRAM BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION;

H.B. 622, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR IMPROVEMENTS AT THE SITE OF THE NORTH CAROLINA INDIAN CULTURAL CENTER;

Committee Substitute for **H.B. 719,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENCOURAGE THE DEVELOPMENT OF THE INTERACTIVE VISUAL TECHNOLOGIES INDUSTRY IN THE STATE;

H.B. 794, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FORESTRY GENETICIST POSITION AT NORTH CAROLINA STATE UNIVERSITY, COLLEGE OF FOREST RESOURCES;

H.B. 1003, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DOMESTIC VIOLENCE PREVENTION AND PROGRAMS;

H.B. 1004, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TRIANGLE NATIVE AMERICAN SOCIETY;

H.B. 1011, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TURFGRASS PROGRAM AT NORTH CAROLINA STATE UNIVERSITY;

H.B. 1037, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA MUSEUM OF HISTORY ASSOCIATES, INC., FOR THE PROMOTION OF MUSEUM MAGIC;

H.B. 1046, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR CAPITAL PROJECTS AND OTHER EXPENSES OF THE INDUSTRIAL COMMISSION;

H.B. 1047, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE TO EXPAND THE STAFF OF THE INDUSTRIAL COMMISSION;

H.B. 1054, A BILL TO BE ENTITLED AN ACT TO AFFECT THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION; and

S.B. 499, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAYMENT OF ADDITIONAL BENEFITS TO RESCUE AND EMERGENCY MEDICAL SERVICES WORKERS.

Representatives Holmes, Creech, and Esposito, Co-Chairs for the Standing Committee on Appropriations, refer the following bills to the Permanent Subcommittee on Human Resources:

H.B. 258, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO INCREASE ELIGIBILITY LIMITS FOR CHILD CARE SUBSIDIES TO ENABLE FAMILIES TO RECEIVE CHILD CARE FOR A LONGER PERIOD OF TIME AS THEY TRANSITION OFF WELFARE, AND TO APPROPRIATE FUNDS;

H.B. 260, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO AID CERTAIN WORKING PARENTS OF LOW-INCOME CHILDREN WHO ARE NOT CURRENTLY RECEIVING CHILD CARE SUBSIDIES TO RECEIVE SUBSIDIES TO ENABLE THEM TO CONTINUE TO WORK, AND TO APPROPRIATE FUNDS;

H.B. 283, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE MENTAL HEALTH STUDY COMMISSION TO APPROPRIATE FUNDS FOR OPERATING COSTS OF IMPLEMENTATION OF THE COMMISSION'S AND COALITION 2001'S PLANS FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES IN NORTH CAROLINA;

H.B. 292, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY

THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR TEN CHILD MALTREATMENT RESOURCE CENTERS;

H.B. 293, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR ADDITIONAL FOSTER CARE LICENSING AND PLACEMENT WORKERS;

H.B. 299, A BILL TO BE ENTITLED AN ACT TO EXPAND MEDICAID COVERAGE TO ALL ELDERLY AND DISABLED PEOPLE WITH INCOMES AT OR BELOW ONE HUNDRED PERCENT OF THE FEDERAL POVERTY LEVEL, AND TO APPROPRIATE FUNDS;

H.B. 364, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ALZHEIMER'S UNIT AT THE NORTH CAROLINA SPECIAL CARE CENTER IN WILSON;

H.B. 379, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PENALTY FOR TRANSFER OF ASSETS IN THE STATE/COUNTY SPECIAL ASSISTANCE TO ADULTS PROGRAM;

H.B. 393, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES FOR A GRANT-IN-AID TO THE CARING PROGRAM FOR CHILDREN;

Committee Substitute for **H.B. 402,** A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF ALL FOSTER PARENTS IN LICENSED FAMILY FOSTER HOMES AND TO APPROPRIATE FUNDS;

Committee Substitute for **H.B. 403,** A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF CHILD DAY CARE PROVIDERS, TO STUDY THE USE OF THE CENTRAL REGISTRY ON CHILD ABUSE AND NEGLECT, AND TO APPROPRIATE FUNDS;

H.B. 417, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AREA ADVOCACY CENTERS OF THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES;

H.B. 419, A BILL TO BE ENTITLED AN ACT TO INCREASE THE ADULT DEVELOPMENTAL ACTIVITY PROGRAM (ADAP)

REIMBURSEMENT RATE TO SEVENTY PERCENT OF TOTAL COST, AND TO APPROPRIATE FUNDS;

H.B. 440, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL COSTS OF REPLACING THE OBSOLETE FOOD DELIVERY SYSTEM AT MURDOCH CENTER;

Committee Substitute for **H.B. 457,** A BILL TO BE ENTITLED AN ACT TO RECOGNIZE AMERICAN SIGN LANGUAGE AS A LANGUAGE OF DEAF PEOPLE IN NORTH CAROLINA;

Committee Substitute for **H.B. 479,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO ELECT THE OPTIONAL AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) FRAUD CONTROL PROGRAM AND TO PROVIDE FOR INCENTIVES AND AUTOMATION FOR AFDC FRAUD COLLECTION;

H.B. 843, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A SKILLED NURSING FACILITY RESERVE A MEDICAID PATIENT'S BED FOR UP TO TEN DAYS WHEN THAT PATIENT IS HOSPITALIZED;

H.B. 901, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SENIOR CENTERS;

Committee Substitute for **H.B. 936,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EMPLOYEES OF DOMICILIARY HOMES FOR THE AGED AND DISABLED AND THE DEVELOPMENTALLY DISABLED RECEIVE TRAINING IN PERSONAL CARE OF THE ELDERLY AND DISABLED AND TO REQUIRE TRAINING STANDARDS FOR FAMILY CARE HOMES;

H.B. 949, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES FOR THE CONSTRUCTION OF A JUVENILE DETENTION CENTER IN GUILFORD COUNTY;

H.B. 985, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR HEAD START PROGRAMS;

H.B. 1000, A BILL TO BE ENTITLED AN ACT TO REAFFIRM THE STATE'S COMMITMENT TO CONTINUE THE CENTRAL NORTH CAROLINA SCHOOL FOR THE DEAF, TO REDRAW THE REGIONAL

RESIDENTIAL ATTENDANCE ZONE SERVED BY THE CENTRAL NORTH CAROLINA SCHOOL FOR THE DEAF, TO ESTABLISH A HIGH SCHOOL AT THE CENTRAL NORTH CAROLINA SCHOOL FOR THE DEAF, TO REQUIRE THAT THE LEGISLATIVE RESEARCH COMMISSION STUDY THE ISSUE OF THE FUTURE OF THE SCHOOLS FOR THE DEAF AND OF THE DIVISION OF SERVICES FOR THE DEAF AND HARD OF HEARING, AND TO APPROPRIATE FUNDS;

H.B. 1022, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES TO EXPAND THE "TOUCHING THE LIVES OF FAMILIES" PROGRAM;

H.B. 1023, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, FOR CAPITAL EXPENSES OF SENIOR CENTERS THROUGHOUT THE STATE;

H.B. 1024, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO SERVE "THOMAS S." CLASS MEMBERS;

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO REQUIRE A DETERMINATION OF THE APPROPRIATE READING/WRITING MEDIUM FOR EACH VISUALLY IMPAIRED STUDENT AND TO APPROPRIATE FUNDS; and

H.B. 1048, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AID TO FAMILIES WITH DEPENDENT CHILDREN - EMERGENCY ASSISTANCE (AFDC-EA) PROGRAM.

Representatives Holmes, Esposito, and Creech, Co-Chairs for the Standing Committee on Appropriations, refer the following bills to the Permanent Subcommittee on Justice and Public Safety:

Committee Substitute for **H.B. 4,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE PRISON POPULATION CAP, TO RAISE THE LIMIT ON PRISON CAPACITY, TO AUTHORIZE THE PAROLE OF NONVIOLENT INMATES, TO AUTHORIZE CERTAIN CONTRACTS FOR THE HOUSING OF STATE PRISONERS IN LOCAL CONFINEMENT FACILITIES, TO ALLOW FOR THE CONTRACTING OF PRIVATE

PRISONS, TO REMOVE THE LIMIT ON PRISONERS WHO MAY BE HOUSED IN NON-STATE OWNED FACILITIES, TO REMOVE THE SUNSET ON CONTRACTS WITH OUT-OF-STATE PUBLIC CORRECTIONAL FACILITIES, AND TO ALLOW THE DEPARTMENT TO USE AVAILABLE FUNDS TO PROVIDE ADDITIONAL PRISON BEDS AND EMPLOY NECESSARY STAFF;

H.B. 266, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PLANNING OF A NEW STATE JUDICIAL CENTER;

H.B. 267, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ENFORCEMENT OF AN ORDER FOR RESTITUTION IN A CRIMINAL CASE IN THE SAME MANNER AS A CIVIL JUDGMENT;

Committee Substitute for **H.B. 271,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT MEDIATION PROGRAM FOR EQUITABLE DISTRIBUTION UNDER THE ADMINISTRATIVE OFFICE OF THE COURTS;

H.B. 294, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR MULTIDISCIPLINARY TRAINING FOR CHILD SEXUAL ABUSE INVESTIGATION;

H.B. 297, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR SUBSTANCE ABUSE SERVICES FOR JUVENILES UNDER SUPERVISION OF THE COURT;

H.B. 444, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDITIONAL SUPERIOR COURT JUDGESHIP AND FIVE ADDITIONAL ASSISTANT DISTRICT ATTORNEY POSITIONS FOR MECKLENBURG COUNTY AND TO APPROPRIATE FUNDS FOR THE MECKLENBURG COUNTY DRUG COURT PROGRAM;

H.B. 497, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO THE NATIONAL GUARD FOR THE REPAIR AND MAINTENANCE OF ARMORIES AND FOR THE EDUCATIONAL ASSISTANCE PROGRAM;

H.B. 580, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MULTIJURISDICTIONAL DRUG TASK FORCES;

H.B. 612, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE OFFICE OF EMERGENCY MANAGEMENT FOR THE BLUE SKY PROJECT;

H.B. 737, A BILL TO BE ENTITLED AN ACT TO DIVIDE DISTRICT COURT DISTRICT 30 AND PROSECUTORIAL DISTRICT 30 INTO DISTRICTS 30A AND 30B;

H.B. 778, A BILL TO BE ENTITLED AN ACT TO ADJUST THE COMPENSATION OF EMERGENCY SUPERIOR COURT JUDGES;

H.B. 988, A BILL TO BE ENTITLED AN ACT TO EARMARK PART OF THE DRUG TAX PROCEEDS FOR REWARDS PAID FOR TIPS REGARDING CRIMES PURSUANT TO LOCAL CRIMESTOPPERS PROGRAMS;

H.B. 989, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE FOR PLANNING, LAND PURCHASE, SITE DEVELOPMENT, AND CONSTRUCTION COSTS IN ESTABLISHING A JUSTICE ACADEMY IN MCDOWELL COUNTY;

H.B. 990, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE WOMEN AT RISK PROGRAM, A SUCCESSFUL COMMUNITY-BASED CORRECTIONS PROGRAM ESTABLISHED IN BUNCOMBE COUNTY;

H.B. 1005, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FIFTEEN DISPUTE SETTLEMENT CENTERS ACROSS THE STATE; and

H.B. 1016, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT HARNETT CORRECTIONAL INSTITUTION.

Representatives Holmes, Creech, and Esposito, Co-Chairs for the Standing Committee on Appropriations, refer the following bills to the Permanent Subcommittee on Natural and Economic Resources:

H.B. 177, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ERADICATE HYDRILLA IN LAKE GASTON;

H.B. 218, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT

THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES SHALL USE A PORTION OF THE FUNDS APPROPRIATED TO IT FOR 1995-97 FOR A PARTICULAR PURPOSE;

H.B. 219, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CENTRAL CANCER REGISTRY;

H.B. 285, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL COMPREHENSIVE SCHOOL-BASED ADOLESCENT HEALTH CENTERS;

Committee Substitute for **H.B. 296,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE HOME VISITING SERVICES FOR CERTAIN FAMILIES, AND TO AUTHORIZE AN INTERAGENCY COMMITTEE TO EVALUATE THE FAMILY OUTREACH PROGRAM;

H.B. 329, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE EDWIN H. MCGEE NATURAL RESOURCES CONSERVATION CENTER IN WILKES COUNTY;

H.B. 415, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A GRASSROOTS SCIENCE MUSEUMS PROGRAM ADMINISTERED BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION;

H.B. 460, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE HEART DISEASE AND STROKE PREVENTION TASK FORCE AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT;

H.B. 506, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TRAINING ENVIRONMENTAL HEALTH SPECIALISTS;

H.B. 521, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXTENSION OF THE BEAVER DAMAGE CONTROL PILOT PROGRAM;

H.B. 525, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAPE FEAR RIVER PROGRAM;

H.B. 548, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS TO SUPPORT LOCAL MOSQUITO CONTROL DISTRICTS AND OTHER UNITS OF LOCAL GOVERNMENT ENGAGED IN MOSQUITO CONTROL;

H.B. 549, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE EFFORTS FOR THE PREVENTION OF AIDS;

H.B. 741, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STATUTORY CAP ON CHARGES FOR PROCESSING MEDICAL RECORD COPY REQUESTS;

H.B. 824, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE FUNDING OF THREE SOIL SPECIALIST POSITIONS IN THE DIVISION OF SOIL AND WATER CONSERVATION IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES;

H.B. 924, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO IMPROVE THE SANITATION PROGRAM FOR FOOD AND LODGING ESTABLISHMENTS, TO AMEND THE INSPECTION AND GRADING REQUIREMENTS, AND TO INCREASE THE MEMBERSHIP OF THE COMMISSION FOR HEALTH SERVICES; and

H.B. 1021, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, FOREST RESOURCES DIVISION, FOR THE ACQUISITION OF ADDITIONAL LAND, EQUIPMENT, AND THE CONSTRUCTION OF A FIRE CONTROL AND FOREST MANAGEMENT HEADQUARTERS IN LEE COUNTY.

Representatives Holmes, Creech, and Esposito, Co-Chairs for the Standing Committee on Appropriations, refer **H.B. 1042,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEPARTMENT OF TRANSPORTATION TO CONDUCT AN ENVIRONMENTAL IMPACT STUDY OF THE O'NEAL-ROCKWOOD CONNECTOR IN THE CITY OF BURLINGTON, to the Permanent Subcommittee on Transportation.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, **S.B. 754,** A BILL TO BE ENTITLED AN ACT TO ALLOW MOTOR VEHICLE DEALERS TO INCLUDE IN THEIR POSSESSORY LIENS AMOUNTS FOR RENTAL OF SUBSTITUTE VEHICLES AND TO ALLOW LIENORS WHO PURCHASE FOR VALUE AT A SALE TO ACQUIRE CLEAR TITLE TO THE SAME EXTENT AS OTHER PURCHASERS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, **S.J.R. 1096,** A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARY FRANCES POWELL SEYMOUR, FORMER MEMBER OF THE GENERAL ASSEMBLY, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, pursuant to Rule 38(b) and without objection, House Committee Substitute for **S.B. 988,** A BILL TO BE ENTITLED AN ACT TO PROVIDE RELIEF FROM THE WEIGHT LIMITATIONS FOR RECOVERED MATERIALS HAULERS AND TO EXTEND THE ALLOWABLE LENGTH FOR RECREATIONAL VEHICLES WITH TWO AXLES, is withdrawn from the Consent Calendar of June 13 and re-referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute No. 2 for **H.B. 208,** A BILL TO BE ENTITLED AN ACT TO ALLOW EDGECOMBE, GREENE, JACKSON, AND MADISON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, is returned for concurrence in Senate Committee Substitute No. 2 and placed on the Calendar for June 13.

Upon concurrence, Senate Committee Substitute No. 2 changes the title.

Senate Committee Substitute for **H.B. 269,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DISTRICT COURT JUDGES TO SANCTION PARTIES TO EQUITABLE DISTRIBUTION PROCEEDINGS FOR PURPOSEFUL, PREJUDICIAL DELAY OF THE PROCEEDINGS, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 13.

Senate Committee Substitute for **H.B. 273,** A BILL TO BE ENTITLED AN ACT TO ALLOW CLAIMS FOR EQUITABLE DISTRIBUTION TO BE RESOLVED EITHER BEFORE OR AFTER AN ABSOLUTE DIVORCE IS GRANTED AND TO CLARIFY THE LAW CONCERNING THE INTEREST IN MARITAL PROPERTY OF A SUBSEQUENT SPOUSE PRIOR TO EQUITABLE DISTRIBUTION OF MARITAL PROPERTY OF FORMER MARRIAGE, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 13.

S.B. 908, A BILL TO BE ENTITLED AN ACT RELATING TO THE POWER OF WATER AND SEWER AUTHORITIES CREATED PURSUANT TO ARTICLE 1 OF CHAPTER 162A OF THE GENERAL STATUTES TO REQUIRE CONNECTIONS TO WATER SYSTEMS, SEWER SYSTEMS, OR COMBINED WATER AND SEWER SYSTEMS OWNED, LEASED, OR OPERATED, BY THE AUTHORITIES AND TO THE POWER OF CITIES AND COUNTIES TO REQUIRE CONNECTIONS TO WATER AND SEWER SYSTEMS, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 1014,** A BILL TO BE ENTITLED AN ACT REQUIRING CRIMINAL HISTORY RECORD CHECKS OF UNLICENSED APPLICANTS FOR EMPLOYMENT IN NURSING HOMES AND DOMICILIARY HOMES, is read the first time and referred to the Committee on Judiciary II.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 6,** A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, AND TO MAKE CONFORMING STATUTORY CHANGES.

On motion of Representative Preston, the House does not concur in the Senate committee substitute, by electronic vote (98-2), and the Senate is so notified by Special Message.

Committee Substitute for **H.B. 272,** A BILL TO BE ENTITLED AN ACT TO ALLOW PARTIAL DISTRIBUTION AWARDS PRIOR TO FINAL JUDGMENT IN EQUITABLE DISTRIBUTION CASES.

On motion of Representative Hackney, the House concurs in the Senate amendment, by electronic vote (100-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 766,** A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE UNIFORM THE LAWS REGARDING THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OLD.

On motion of Representative Brawley, the House concurs in the Senate committee substitute, by electronic vote (93-8), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 955,** A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL.

On motion of the Chair, the bill is temporarily displaced.

Committee Substitute No. 2 for **H.B. 281,** A BILL TO BE ENTITLED AN ACT TO CREATE THE RESIDENTIAL PROPERTY DISCLOSURE ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and

Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives W. Brown, Buchanan, Nichols, Sharpe, Thompson, and Wainwright - 6.

H.B. 807, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE CRIMINAL RECORD CHECKS TO HOME CARE AGENCIES AND HOSPICES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives W. Brown, Buchanan, Nichols, Sharpe, Thompson, and Wainwright - 6.

Committee Substitute for **S.B. 399,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF PODIATRY.

The bill, as amended, passes its third reading, by electronic vote (80-24), and is ordered sent to the Senate for concurrence in House amendment.

S.B. 20, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL IMPROVEMENT AND ACCOUNTABILITY ACT OF 1989.

On motion of the Chair, the bill is temporarily displaced.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Redwine and without objection, House Committee Substitute for **S.B. 687,** A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 11 OF CHAPTER 130A OF THE GENERAL STATUTES REGARDING WASTEWATER SYSTEMS, is withdrawn from the Calendar and placed on the Calendar of June 15.

CALENDAR (continued)

H.B. 1058, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE TAX LAW IN LIGHT OF FEDERAL LAW PREEMPTING STATE REGULATION OF MOST MOTOR FREIGHT CARRIERS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 505,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE GROUNDS FOR REMOVAL OF A MEMBER OF A LOCAL BOARD OF HEALTH, passes its second reading, by electronic vote (105-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 967,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM TO PERMIT COMMUNITY COLLEGES TO USE INMATE LABOR FOR CAPITAL CONSTRUCTION PROJECTS, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Objection having been raised, pursuant to Rule 40(b), **S.B. 408,** A BILL TO BE ENTITLED AN ACT TO ALLOW EQUITY LINE OF CREDIT AGREEMENTS TO HAVE TERMS GREATER THAN FIFTEEN YEARS

AND TO ESTABLISH A PROCEDURE FOR EXTENDING EQUITY LINE OF CREDIT LOAN AGREEMENTS, is removed from today's Consent Calendar and placed on the regular Calendar.

The bill passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Objection having been raised, pursuant to Rule 40(b), **S.B. 686,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE VOTING AUTHORITY OF MEMBERS OF THE STATE BANKING COMMISSION, is removed from today's Consent Calendar and placed on the regular Calendar.

Representative Church offers Amendment No. 1 which is adopted by electronic vote (107-0).

The bill, as amended, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading, and is ordered sent to the Senate for concurrence in House amendment.

Objection having been raised, pursuant to Rule 40(b), **S.B. 1086,** A BILL TO BE ENTITLED AN ACT TO ALLOW BANKS TO MAKE LOANS SECURED BY SHARES OF ITS OWN STOCK OR THAT OF ITS PARENT HOLDING COMPANY UNDER CERTAIN CIRCUMSTANCES, is removed from today's Consent Calendar and placed on the regular Calendar.

Representatives Daughtry, Locke, Edwards, and Kiser request that they be excused from voting pursuant to Rule 24.1A because they are bank directors. Representative Arnold requests that he be excused from voting pursuant to Rule 24.1A because he owns bank stock. Representative Hightower requests that he be excused from voting pursuant to Rule 24.1A because of a possible conflict of interest. Representatives Blue, G. Robinson, McCombs, Gamble, Fox, and C. Wilson request that they be excused from voting pursuant to Rule 24.1A. These requests are granted.

The bill passes its second reading, by electronic vote (94-2), and there being no objection is read a third time.

Representative Neely objects to the third reading. The bill remains on the

Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 186, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SENTENCING COMMISSION, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 82,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF PROPERTY COLLECTIBLE BY SMALL ESTATE AFFIDAVIT WHERE THE SOLE HEIR AND/OR DEVISEE IS THE SURVIVING SPOUSE, TO INCREASE THE MINIMUM AMOUNT OF INTESTATE PERSONAL PROPERTY PASSING TO THE SURVIVING SPOUSE, AND TO INCREASE THE AMOUNT OF THE YEAR'S ALLOWANCE FOR A SURVIVING SPOUSE AND CHILDREN, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO INCREASE THE LIMITATION FOR FUNERAL EXPENSES.

Representative H. Hunter requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 813, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE CHIEF OF THE COUNTY ELECTION STAFF FROM "SUPERVISOR OF ELECTIONS" TO "DIRECTOR OF ELECTIONS", passes its second reading by electronic vote (81-21).

Representative Gardner objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 349,** A BILL TO BE ENTITLED AN ACT TO REVISE THE MEMBERSHIP OF THE HOUSING COORDINATION AND POLICY COUNCIL, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 519,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PURCHASE OF COMMODITIES AND SERVICES OFFERED BY BLIND AND BY SEVERELY DISABLED PERSONS.

Representative Ives offers Amendment No. 1 which is adopted by electronic vote (107-0).

The bill, as amended, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S.B. 975, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPOSIT OF TOBACCO ASSESSMENT FUNDS WITH THE NORTH CAROLINA TOBACCO FOUNDATION, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 652,** A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES PERTAINING TO SMALL EMPLOYER HEALTH CARE COVERAGE, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Senate Committee Substitute for **H.B. 955,** A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC

CONTROL, which was temporarily displaced, is before the Body.

On motion of Representative Wood, the House does not concur in the Senate committee substitute, by electronic vote (68-39), and the Senate is so notified by Special Message.

INTRODUCTION OF PAGES

Pages for the week of June 12-15 are introduced to the membership. They are: Christy Berkau of Johnston; Sarah Katherine Boone of Beaufort; Joi Braswell of Wayne; Jonathan Brubaker of Randolph; Chandler Carmichael of Wake; Scott Clingan of Wayne; Michael Conschafter of Buncombe; Matthew Dockham of Davidson; Mary Grey Erwin of Mecklenburg; Tara Fulcher of Johnston; Mary Penn Graves of Beaufort; Matthew Handy of Randolph; Jonathan Hartsell of Stanly; Jason Hatley of Stanly; Susan Herndon of Wake; Jeanna Kaspar of Durham; Adam Kaufhold of Brunswick; Krista Latham of Mecklenburg; Larry Leder of Columbus; Harrison Lord of Harnett; Megan MacDowell of Orange; Nathan McGhee of Wake; Henry Robertson of Halifax; London Saunders of Mecklenburg; Jon Shepherd of Forsyth; Brandi Turner of McDowell; Brian Wellman of Lenoir; Dameon Whitaker of Hertford; April Wilbon of Wake; and Wendy Wilcox of Catawba.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 12, 1995

Mr. Speaker:

It is ordered that a message be sent the House of Representatives respectfully requesting the return of **S.B. 563,** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND TO CLARIFY THE ZONING JURISDICTION OF THE TOWN OF HUNTERSVILLE, for further consideration by the Senate.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 12, 1995

Mr. Speaker:

Pursuant to your message received Thursday, June 8, 1995 that the House of Representatives fails to concur in Senate Amendment No. 1 to **H.B. 459,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CANCELLATION OF A NOTE OR OTHER INDEBTEDNESS SECURED BY A DEED OF TRUST OR MORTGAGE BY EXECUTION OF A CERTIFICATE OF SATISFACTION, and requests conferees, the President Pro Tempore appoints:

Senator Gulley, Chairman
Senator Ballance
Senator Hartsell

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 12, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 6,** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME, and requests conferees. The President Pro Tempore appoints:

Senator Cooper, Chairman
Senator Forrester
Senator Warren

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Grady, Chair; Warner and Morgan as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 12, 1995

Mr. Speaker:

It is ordered that a message be sent the House of Representatives with the information that the Senate fails to concur in House Amendments No. 1 and No. 2 to **S.B. 501,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PARENTS OF A DEPENDENT CHILD WHO IS THE PARENT OF A DEPENDENT CHILD TO CONTRIBUTE TO THE SUPPORT OF THEIR GRANDCHILD, and requests conferees. The President Pro Tempore appoints:

Senator Rand, Chairman
Senator Gulley
Senator Carrington

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Richardson, Chair; Howard, Berry, and Barnes as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 12, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Amendment No. 1 to **S.B. 737,** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT COUNTIES PAY THEIR LOCAL SHARE OF PUBLIC ASSISTANCE PROGRAM BENEFITS BY ELECTRONIC FUNDS TRANSFER, and requests conferees. The President Pro Tempore appoints:

Senator Soles, Chairman
Senator Conder
Senator Kincaid

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Howard, Chair; Berry and Hightower as conferees on the part of the House and the Senate is so notified by Special Message.

RE-REFERRALS

On motion of Representative Howard, **S.B. 318,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE TIME REQUIREMENT FOR THE UPDATING OF THE PLAN FOR SERVING OLDER ADULTS, is withdrawn from the Permanent Subcommittee on Aging and re-referred to the Standing Committee on Welfare Reform and Human Resources.

On motion of Representative Howard, Committee Substitute for **S.B. 334,** A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE LONG-TERM CARE OMBUDSMAN PROGRAM LAW, THE NURSING HOME COMMUNITY ADVISORY COMMITTEE LAW, AND THE DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEE LAW, is withdrawn from the Permanent Subcommittee on Aging and re-referred to the Standing Committee on Welfare Reform and Human Resources.

On motion of Representative Howard, **S.B. 864,** A BILL TO BE ENTITLED AN ACT TO REQUIRE ADULT CARE HOMES TO SUBMIT ANNUAL AUDITED REPORTS OF ACTUAL COSTS AND TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES TO ADOPT RULES TO ENSURE QUALITY OF CARE IN ADULT CARE HOMES, is withdrawn from the Permanent Subcommittee on Aging and re-referred to the Standing Committee on Welfare Reform and Human Resources.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Wood and without objection, House Committee Substitute for **S.B. 26,** A BILL TO BE ENTITLED AN ACT TO ENABLE LOCAL BOARDS OF EDUCATION TO EXPEL FROM SCHOOL THOSE STUDENTS WHOSE CONTINUED PRESENCE IN SCHOOL CONSTITUTES A CLEAR THREAT TO THE SAFETY AND HEALTH OF OTHER STUDENTS OR EMPLOYEES, is withdrawn from the Calendar and re-referred to the Committee on Education.

On motion of Representative Morgan, seconded by Representative Owens, the House adjourns at 8:23 p.m. to reconvene June 13 at 1:30 p.m.

EIGHTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 13, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, Your Word teaches us to pray, and how to pray, and we do. Each session we have the privilege of prayer, and yet so much about You and prayer is shrouded in mystery. Why do You seem not to hear after You told us to pray? And, why are our answers so opposite to what we sincerely plead so earnestly for? Not all of life's whys or questions will be solved in this life, but every now and then You pull the curtain aside and let us know that You are personal and that You do hear us. Like when I fell in love with Betty, she was a perfect ten to me in every way. My, how I loved that girl, and I prayed so earnestly, "Father please, please let me have Betty for my wife.' But alas, Betty spurned all my efforts, and rejected me for another. I thought that surely I would die. But, I lived. Twenty-five years passed and I was speaking in a distant city when a woman approached me and extended her hand. 'Bill, don't you know me? This is Betty.' I almost dropped on the spot. She looked like calamity warmed over, and talked that way too. Back in my room, I fell on my knees and said with all my heart, 'Thank You, thank You, Father, for saving me from Betty'. Father, during this General Assembly, perhaps all of us have prayed, and the answers we have received or haven't received weren't what we wanted at all. But, Father, before we quit or lose our faith, just send us another Betty. Thank You, Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 12 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (91-0).

Leaves of absence are granted Representatives W. Brown, Buchanan, Rogers, Sharpe, and Thompson for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 85, AN ACT TO AUTHORIZE HONORARY TRUSTS, TRUSTS FOR PETS, AND TRUSTS FOR CEMETERY LOTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 225)

S.B. 344, AN ACT TO ESTABLISH THE REQUIREMENTS FOR CERTIFICATION TO TEACH NOTARY COURSES, TO ALLOW REVOCATION OF NOTARIAL COMMISSIONS FOR NOTARIES WHO FAIL TO ADMINISTER OATHS OR AFFIRMATIONS, AND TO PROVIDE THAT APPLICANTS FOR RECOMMISSIONING NEED NOT

OBTAIN THE RECOMMENDATION OF A PUBLICLY ELECTED OFFICIAL, AND TO ALLOW THE SECRETARY OF STATE LAW ENFORCEMENT AGENTS TO ENFORCE THE NOTARY CHAPTER. (CHAPTER 226)

S.B. 348, AN ACT TO PERMIT THE STATE TO USE THE SETOFF DEBT COLLECTION ACT TO RECOUP FUNDS OWED BY TEACHERS WHO DO NOT FULFILL THEIR OBLIGATIONS UNDER THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS PROGRAM. (CHAPTER 227)

S.B. 449, AN ACT RELATING TO PRACTICE RESTRICTIONS IMPOSED ON HEALTH CARE WORKERS WHO ARE INFECTED WITH HIV OR HEPATITIS B. (CHAPTER 228)

S.B. 755, AN ACT TO CHANGE THE DESIGNATED LEGISLATIVE MEMBERSHIP OF THE COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS AND THEIR TERMS. (CHAPTER 229)

H.B. 558, AN ACT TO PERMIT THE TOWN OF CATAWBA TO ANNEX AREAS LYING WITHIN THE CORPORATE BOUNDARIES OF THAT TOWN. (CHAPTER 230)

H.B. 596, AN ACT TO DESCRIBE THE CORPORATE LIMITS OF THE CITY OF NEW BERN. (CHAPTER 231)

S.B. 81, AN ACT TO ENACT THE REVISED ARTICLE 3 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO ARTICLES 1 AND 4 OF THE UNIFORM COMMERCIAL CODE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 232)

H.B. 357, AN ACT TO REPEAL PROVISIONS OF THE GENERAL STATUTES AUTHORIZING THE DEPARTMENT OF CORRECTION TO INSPECT MINES IN WHICH CONVICTS ARE EMPLOYED AND REQUIRING THE DEPARTMENT TO ESTABLISH A REVOLVING FUND FOR LOANS TO PRISONERS. (CHAPTER 233)

H.B. 515, AN ACT TO CLARIFY THE DEFINITION OF THE TERM "RELEVANT MARKET AREA" IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW. (CHAPTER 234)

H.B. 566, AN ACT TO AMEND THE LAWS RELATING TO THE POWERS OF FIDUCIARIES. (CHAPTER 235)

S.B. 186, AN ACT TO EXTEND THE SENTENCING COMMISSION. (CHAPTER 236)

S.B. 408, AN ACT TO ALLOW EQUITY LINE OF CREDIT AGREEMENTS TO HAVE TERMS GREATER THAN FIFTEEN YEARS AND TO ESTABLISH A PROCEDURE FOR EXTENDING EQUITY LINE OF CREDIT LOAN AGREEMENTS. (CHAPTER 237)

S.B. 652, AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES PERTAINING TO SMALL EMPLOYER HEALTH CARE COVERAGE. (CHAPTER 238)

S.B. 975, AN ACT TO AUTHORIZE THE DEPOSIT OF TOBACCO ASSESSMENT FUNDS WITH THE NORTH CAROLINA TOBACCO FOUNDATION. (CHAPTER 239)

H.B. 272, AN ACT TO ALLOW PARTIAL DISTRIBUTION AWARDS PRIOR TO FINAL JUDGMENT IN EQUITABLE DISTRIBUTION CASES. (CHAPTER 240)

H.B. 766, AN ACT TO CLARIFY AND MAKE UNIFORM THE LAWS REGARDING THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OLD. (CHAPTER 241)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Wood for the Committee on Education:

Committee Substitute for **S.B. 858,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING CONTRACTS FOR SCHOOL ADMINISTRATORS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the

Unfavorable Calendar.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

S.B. 318, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TIME REQUIREMENT FOR THE UPDATING OF THE PLAN FOR SERVING OLDER ADULTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 14.

Committee Substitute for **S.B. 334,** A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE LONG-TERM CARE OMBUDSMAN PROGRAM LAW, THE NURSING HOME COMMUNITY ADVISORY COMMITTEE LAW, AND THE DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEE LAW, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 14.

By Representative J. Brown for the Committee on Agriculture:

S.B. 388, A BILL TO BE ENTITLED AN ACT TO AMEND THE PESTICIDE LAW, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance.

Committee Substitute No. 1 for **H.B. 537,** A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 768, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT

THE HIGHWAY USE TAX TRADE-IN ALLOWANCE APPLIES WHEN TWO CARS ARE EXCHANGED FOR ONE ANOTHER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 14.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 222,** A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION TO G.S. 120-70.2 REGARDING FILLING OF VACANCIES ON THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 333,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A REGISTER OF DEEDS WHO COMPLETES SERVICE AFTER TEN YEARS OF ELIGIBLE SERVICE AS REGISTER OF DEEDS BUT DOES NOT COMMENCE RETIREMENT FROM THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM MAY RECEIVE A MONTHLY PENSION FROM THE REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND UPON RETIREMENT UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 14.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 593,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF BOGUE, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 14.

Upon concurrence, the Senate committee substitute changes the title.

The Chair rules the Senate committee substitute to be material, thus constituting its first reading.

Senate Committee Substitute for **H.B. 642,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE SIZE OF THE BOARD OF COMMISSIONERS OF EDGECOMBE COUNTY FROM FIVE TO SEVEN MEMBERS AND PROVIDE FOR THE ELECTORAL DISTRICTS, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 14.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **H.B. 692,** A BILL TO BE ENTITLED AN ACT ALLOWING WAKE COUNTY TO USE ALTERNATIVE METHODS OF NOTIFICATION OF PROPERTY OWNERS OF PROPOSED ZONING NOTICE CHANGES, is returned for concurrence in Senate amendment and placed on the Calendar for June 14.

Upon concurrence, the Senate amendment changes the title and changes the bill from a local bill to a public bill.

Senate Committee Substitute for **H.B. 851,** A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES WITH REGARD TO FORFEITURE OF SURETY BONDS, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 14.

Upon concurrence, the Senate committee substitute changes the title.

S.B. 170, A BILL TO BE ENTITLED AN ACT TO ELIMINATE DOUBLE TAXATION OF A MOTOR VEHICLE WHEN THE OWNER MOVES AWAY AND THEN RETURNS TO THE STATE WITHIN ONE YEAR, is read the first time and referred to the Committee on Finance.

S.B. 249, A BILL TO BE ENTITLED AN ACT TO REAUTHORIZE THE MENTAL HEALTH STUDY COMMISSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 291,** A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN NONPROFIT ORGANIZATIONS FROM PAYING THE LICENSE TAX FOR SPECIALTY MARKET OPERATORS, is read the

first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 570,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE TO STUDY WHETHER THE EXTENSION OF AN INTERSTATE NATURAL GAS PIPELINE SHOULD BE ENCOURAGED BY EXEMPTING GENERATION FACILITIES SERVED BY THAT PIPELINE FROM REGULATION AS PUBLIC UTILITIES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 594, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET FOR THE MEDIATION PROGRAM FOR THE INDUSTRIAL COMMISSION, is read the first time and referred to the Committee on Business and Labor.

S.B. 728, A BILL TO BE ENTITLED AN ACT TO REPLACE THE SUBSTANCE ABUSE PROGRAM WITHIN THE DEPARTMENT OF CORRECTION WITH THE DIVISION OF ALCOHOLISM AND CHEMICAL DEPENDENCY PROGRAMS, is read the first time and referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

S.B. 733, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PROVISION FOR PURCHASE OF OUT-OF-STATE SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is read the first time and referred to the Committee on Pensions and Retirement.

S.B. 815, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO VOTING PRECINCTS, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 839,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GRADUATED DRIVERS LICENSES FOR PROVISIONAL LICENSEES AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE AND TO ALLOW A PERSON WHOSE SIXTEENTH BIRTHDAY FALLS ON A WEEKEND OR A HOLIDAY TO APPLY FOR A DRIVERS LICENSE ON THE LAST BUSINESS DAY BEFORE THE PERSON'S BIRTHDAY, is read the first time and referred to the Committee on Transportation.

S.B. 914, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SHARING OF SICK LEAVE BETWEEN PUBLIC SCHOOL EMPLOYEES AND STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT, is read the first time and referred to the Committee on Public Employees.

CALENDAR

Action is taken on the following:

Senate Committee Substitute No. 2 for **H.B. 208,** A BILL TO BE ENTITLED AN ACT TO ALLOW EDGECOMBE, GREENE, JACKSON, AND MADISON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION.

On motion of Representative Beall, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Wright - 106.

Voting in the negative: None.

Excused absences: Representatives W. Brown, Buchanan, Church, Rogers, Sharpe, and Thompson - 6.

Senate Committee Substitute for **H.B. 269,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DISTRICT COURT JUDGES TO SANCTION PARTIES TO EQUITABLE DISTRIBUTION PROCEEDINGS FOR

PURPOSEFUL, PREJUDICIAL DELAY OF THE PROCEEDINGS.

On motion of Representative Michaux, the bill is temporarily displaced.

Senate Committee Substitute for **H.B. 273,** A BILL TO BE ENTITLED AN ACT TO ALLOW CLAIMS FOR EQUITABLE DISTRIBUTION TO BE RESOLVED EITHER BEFORE OR AFTER AN ABSOLUTE DIVORCE IS GRANTED AND TO CLARIFY THE LAW CONCERNING THE INTEREST IN MARITAL PROPERTY OF A SUBSEQUENT SPOUSE PRIOR TO EQUITABLE DISTRIBUTION OF MARITAL PROPERTY OF FORMER MARRIAGE.

On motion of Representative Michaux, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 708,** A BILL TO BE ENTITLED AN ACT REGARDING THE PROCEDURE FOR LETTING PUBLIC CONTRACTS BY THE CITY OF CHARLOTTE AND TO PROHIBIT THE UNAUTHORIZED REMOVAL OR DESTRUCTION OF CAMPAIGN SIGNS IN MECKLENBURG COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute No. 2 for **H.B. 281,** A BILL TO BE ENTITLED AN ACT TO CREATE THE RESIDENTIAL PROPERTY DISCLOSURE ACT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds,

Richardson, G. Robinson, J. Robinson, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Wright - 109.

Voting in the negative: None.

Excused absences: Representatives W. Brown, Buchanan, Church, Rogers, Sharpe, and Thompson - 6.

H.B. 807, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE CRIMINAL RECORD CHECKS TO HOME CARE AGENCIES AND HOSPICES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Wright - 108.

Voting in the negative: None.

Excused absences: Representatives W. Brown, Buchanan, Church, Rogers, Sharpe, and Thompson - 6.

S.B. 20, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL IMPROVEMENT AND ACCOUNTABILITY ACT OF 1989.

The bill, as amended, passes its third reading, by electronic vote (108-0), and is ordered sent to the Senate for concurrence in House amendment.

S.B. 1086, A BILL TO BE ENTITLED AN ACT TO ALLOW BANKS TO MAKE LOANS SECURED BY SHARES OF ITS OWN STOCK OR

THAT OF ITS PARENT HOLDING COMPANY UNDER CERTAIN CIRCUMSTANCES.

On motion of Representative Neely, the bill is temporarily displaced.

S.B. 813, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE CHIEF OF THE COUNTY ELECTION STAFF FROM "SUPERVISOR OF ELECTIONS" TO "DIRECTOR OF ELECTIONS", passes its third reading, by electronic vote (87-18), and is ordered enrolled.

S.B. 379, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON THE JUVENILE CODE TO ALLOW COURTS TO ORDER PSYCHIATRIC OR PSYCHOLOGICAL TREATMENT OF PARENTS OF JUVENILES ADJUDICATED DELINQUENT, UNDISCIPLINED, ABUSED, NEGLECTED, OR DEPENDENT AT THE DISPOSITIONAL HEARINGS OR SUBSEQUENT HEARINGS AND TO PROVIDE FOR NOTICE.

Representative Barnes offers Amendment No. 1 which is adopted by electronic vote (97-10).

The bill, as amended, passes its second reading, by electronic vote (97-10), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Dockham and without objection, Committee Substitute for **S.B. 342,** A BILL TO BE ENTITLED AN ACT TO IMPROVE INSURANCE COMPANY FINANCIAL MATTERS BY ADOPTING STANDARDS FOR ASSUMPTION REINSURANCE, MATERIAL TRANSACTIONS, AND PROPERTY AND CASUALTY INSURER CAPITAL, is withdrawn from the Calendar and placed on the Calendar of June 20.

On motion of Representative Dockham and without objection, **S.B. 345,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS, is withdrawn from the Calendar and re-referred to the Committee on Insurance.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 51,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A ONE-YEAR SUSPENSION FOR ANY STUDENT WHO BRINGS CERTAIN WEAPONS ONTO SCHOOL PROPERTY AND TO ALLOW THE SUPERINTENDENT TO MODIFY THE SUSPENSION FOR CHILDREN WITH SPECIAL NEEDS OR BY PROVIDING AN ALTERNATIVE SCHOOL SETTING, passes its second reading by electronic vote (108-2).

Representative Boyd-McIntyre objects to the third reading. The bill remains on the Calendar.

Senate Committee Substitute for **H.B. 269,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DISTRICT COURT JUDGES TO SANCTION PARTIES TO EQUITABLE DISTRIBUTION PROCEEDINGS FOR PURPOSEFUL, PREJUDICIAL DELAY OF THE PROCEEDINGS, which was temporarily displaced, is before the Body.

On motion of Representative Hackney, the House concurs in the Senate committee substitute, by electronic vote (108-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 273,** A BILL TO BE ENTITLED AN ACT TO ALLOW CLAIMS FOR EQUITABLE DISTRIBUTION TO BE RESOLVED EITHER BEFORE OR AFTER AN ABSOLUTE DIVORCE IS GRANTED AND TO CLARIFY THE LAW CONCERNING THE INTEREST IN MARITAL PROPERTY OF A SUBSEQUENT SPOUSE PRIOR TO EQUITABLE DISTRIBUTION OF MARITAL PROPERTY OF FORMER MARRIAGE, which was temporarily displaced, is before the Body.

On motion of Representative Hackney, the House concurs in the Senate committee substitute, by electronic vote (112-0), and the bill is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 612,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE BUILDING CODE COUNCIL TO ADOPT ALTERNATIVE SAFETY SYSTEMS FOR BUILDINGS BUILT PRIOR TO

1953, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 999,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE COST LIMIT ON WORK THAT CAN BE PERFORMED BY GOVERNMENTAL FORCE ACCOUNT LABOR.

Representative McMahan offers Amendment No. 1 which is adopted by electronic vote (104-1).

The bill, as amended, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 447,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT BOARDS OF COUNTY COMMISSIONERS AND CITY COUNCILS FROM APPOINTING MORE THAN ONE OF THEIR OWN MEMBERS TO SERVE ON ANY PUBLIC BOARD OR COMMISSION EXCEPT WHERE A STATUTE REQUIRES A MEMBER OF THAT BOARD TO SERVE.

Representative Sherrill calls the previous question on the passage of the bill and the call is sustained by electronic vote (70-39).

The bill fails to pass its second reading by electronic vote (54-56).

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Daughtry for the Committee on Judiciary I:

H.B. 866, A BILL TO BE ENTITLED AN ACT TO PROVIDE A

CAUSE OF ACTION TO AN OWNER WHEN THE STATE OR A LOCAL POLITICAL SUBDIVISION OF THE STATE RESTRICTS, LIMITS, OR OTHERWISE INFRINGES A RIGHT TO REAL PROPERTY THAT WOULD EXIST IN THE ABSENCE OF GOVERNMENT REGULATION AND TO PROVIDE THAT PRIOR TO THE FILING OF A ZONING PETITION THE PERSON FILING THE PETITION SHALL NOTIFY THE OWNER BY CERTIFIED MAIL, reported without prejudice as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

S.B. 320, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM CUSTODIAL TRUST ACT AND TO MAKE CONFORMING AMENDMENTS TO THE POWER OF ATTORNEY STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 416, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROVISION OF THE JUVENILE CODE GOVERNING THE AUTHORITY OF MEDICAL PROFESSIONALS TO CONFORM TO THE REVISED DEFINITION OF ABUSE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 14.

Committee Substitute No. 2 for **S.B. 426,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW, with a favorable report as to House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2.

On motion of the Chair, pursuant to Rule 38(b), the House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 546, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES TO

PROVIDE FOR A NONBINDING DEMOCRATIC PRESIDENTIAL PRIMARY AT THE TIME OF THE MUNICIPAL ELECTION SO AS TO FOCUS NATIONAL ATTENTION AND AT LEAST A PART OF THE PRESIDENTIAL DEBATE ON URBAN ISSUES, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 585,** A BILL TO BE ENTITLED AN ACT TO EXPEDITE EXECUTION OR JUDGMENTS AGAINST THE PROPERTY OF THE JUDGMENT DEBTOR, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 14.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 540,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF EIGHT HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF HE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND, is withdrawn from the Calendar, pursuant to Rule 36(a), and re-referred to the Committee on Appropriations.

On motion of Representative Morgan, seconded by Representative Rayfield, the House adjourns at 2:48 p.m. to reconvene June 14 at 1:30 p.m.

EIGHTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 14, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend J. Willard Ellis, Mt. Gilbert Baptist Church, Scotland Neck, North Carolina.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 13 has been examined and

found correct. Upon his motion, the Journal is approved as written by electronic vote (88-3).

Leaves of absence are granted Representatives Church, Creech, Culpepper, Esposito, Holmes, and Sharpe for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 612, AN ACT TO REQUIRE THE BUILDING CODE COUNCIL TO ADOPT ALTERNATIVE SAFETY SYSTEMS FOR BUILDINGS BUILT PRIOR TO 1953. (CHAPTER 242)

S.B. 813, AN ACT TO CHANGE THE NAME OF THE CHIEF OF THE COUNTY ELECTION STAFF FROM "SUPERVISOR OF ELECTIONS" TO "DIRECTOR OF ELECTIONS." (CHAPTER 243)

H.B. 269, AN ACT TO AUTHORIZE DISTRICT COURT JUDGES TO SANCTION PARTIES TO EQUITABLE DISTRIBUTION PROCEEDINGS FOR PURPOSEFUL, PREJUDICIAL DELAY OF THE PROCEEDINGS. (CHAPTER 244)

H.B. 273, AN ACT TO ALLOW CLAIMS FOR EQUITABLE DISTRIBUTION TO BE RESOLVED EITHER BEFORE OR AFTER AN ABSOLUTE DIVORCE IS GRANTED AND TO CLARIFY THE LAW CONCERNING THE INTEREST IN MARITAL PROPERTY OF A SUBSEQUENT SPOUSE PRIOR TO EQUITABLE DISTRIBUTION OF MARITAL PROPERTY OF FORMER MARRIAGE. (CHAPTER 245)

S.B. 127, AN ACT TO IMPOSE CRIMINAL PENALTIES FOR THE ABUSE, NEGLECT, OR EXPLOITATION OF DISABLED OR ELDER ADULTS LIVING IN A DOMESTIC SETTING. (CHAPTER 246)

S.B. 240, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERFORM DREDGING SERVICES FOR UNITS OF LOCAL GOVERNMENT. (CHAPTER 247)

S.B. 399, AN ACT TO AMEND THE DEFINITION OF PODIATRY. (CHAPTER 248)

S.B. 775, AN ACT TO DEFINE CLIENTS ELIGIBLE FOR WILLIE M. SERVICES, TO AUTHORIZE THE ADOPTION OF RULES TO DETERMINE ELIGIBILITY, TO ENSURE THE PROVISION OF SERVICES, AND TO PROVIDE FOR CONTESTED CASE HEARING PROVISION. (CHAPTER 249)

S.B. 1003, AN ACT TO EXEMPT INDIVIDUAL RETIREMENT ACCOUNTS, INDIVIDUAL RETIREMENT ANNUITIES, AND SIMPLIFIED EMPLOYEES PENSION/INDIVIDUAL RETIREMENT ACCOUNTS FROM THE CLAIMS OF CREDITORS. (CHAPTER 250)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Arnold and C. Wilson for the Committee on Finance:

Committee Substitute No. 1 for **H.B. 859,** A BILL TO BE ENTITLED AN ACT TO REVISE THE SOLID WASTE MANAGEMENT ACT OF 1989 AND RELATED STATUTES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

S.B. 404, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRITERIA FOR SELECTION AND SENTENCING TO IMPACT, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 567, A BILL TO BE ENTITLED AN ACT TO MAKE DOMESTIC VIOLENCE A PRESUMPTIVE FACTOR IN CUSTODY DETERMINATION MATTERS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original

bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 798,** A BILL TO BE ENTITLED AN ACT AUTHORIZING SANITARY DISTRICTS TO PROVIDE STREETS AND LAW ENFORCEMENT SERVICES AND ALLOWING SMALL SANITARY DISTRICTS TO COMPENSATE BOARD MEMBERS IN THE SAME MANNER AS LARGE SANITARY DISTRICTS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 511, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TREBLE DAMAGES IN A CIVIL ACTION TO ENFORCE PAYMENT OF EXTRA DAY CHARGES FOR THE LATE RETURN OF A RENTED VIDEO CASSETTE TAPE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 402,** A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE DOMESTIC VIOLENCE LAW BY REQUIRING DOMESTIC VIOLENCE ORDER TO BE ACCESSIBLE BY COMPUTER, TO ALLOW THE JUDGE ISSUING THE ORDER TO REQUIRE SEIZURE OF FIREARMS AND PROHIBIT POSSESSION OF FIREARMS, AND MAKE IT A CLASS H FELONY FOR ANY PERSON SUBJECT TO A DOMESTIC VIOLENCE ORDER TO PURCHASE OR POSSESS ANY FIREARM, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

On motion of the Chair, the House committee substitute bill is re-referred

to the Committee on Ways and Means. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 873,** A BILL TO BE ENTITLED AN ACT TO CLARIFY AND SIMPLIFY THE PUBLIC NOTICE REQUIREMENTS FOR THE REZONING OF PROPERTY, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 929, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA RULES OF CIVIL PROCEDURE REGARDING SERVICE OF PROCESS AND DEPOSITIONS IN A FOREIGN COUNTRY AND THE DETERMINATION OF FOREIGN LAW TO BE APPLIED IN CERTAIN CIVIL ACTIONS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

S.B. 864, A BILL TO BE ENTITLED AN ACT TO REQUIRE ADULT CARE HOMES TO SUBMIT ANNUAL AUDITED REPORTS OF ACTUAL COSTS AND TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES TO ADOPT RULES TO ENSURE QUALITY OF CARE IN ADULT CARE HOMES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The House committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative G. Robinson for the Committee on Business and Labor:

S.B. 293, A BILL TO BE ENTITLED AN ACT TO PERMIT THE IMPORTATION AND BOTTLING OF SPIRITUOUS LIQUOR WITHIN FOREIGN TRADE ZONES LOCATED AT THE WILMINGTON AND

MOREHEAD CITY PORTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative G. Robinson for the Committee on Ways and Means:

Committee Substitute for **H.B. 585,** A BILL TO BE ENTITLED AN ACT TO MAKE FAILURE TO DISCLOSE THAT THE AIR BAGS HAVE NOT BEEN REPLACED ON A MOTOR VEHICLE A MISDEMEANOR, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 331,** A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED TOLERANCE FOR EXISTING TRUCK WEIGHTS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Wood for the Committee on Education:

House Committee Substitute for **S.B. 26,** A BILL TO BE ENTITLED AN ACT TO ENABLE LOCAL BOARDS OF EDUCATION TO EXPEL FROM SCHOOL THOSE STUDENTS WHOSE CONTINUED PRESENCE IN SCHOOL CONSTITUTES A CLEAR THREAT TO THE SAFETY AND HEALTH OF OTHER STUDENTS OR EMPLOYEES, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 478, A BILL TO BE ENTITLED AN ACT TO INCORPORATE A TOWN IN WILKES COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

H.B. 886, A BILL TO BE ENTITLED AN ACT TO DIRECT THE APPROPRIATE STATE DEPARTMENTS HOW TO EXERCISE THE STATE'S AUTHORITY UNDER THE CLEAN WATER ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S.B. 525, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE HEALTH DIRECTOR TO PREPARE A MEDICAL AND HEALTH BENEFITS PLAN, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted by electronic vote (88-1).

The bill, as amended, is re-referred to the Committee on Pensions and Retirement.

By Representative Tallent for the Committee on Financial Institutions:

S.B. 899, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN FINANCIAL INSTITUTIONS' RECORDS ARE CONFIDENTIAL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 13, 1995

Mr. Speaker:

On **H.B. 459,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CANCELLATION OF A NOTE OR OTHER INDEBTEDNESS SECURED BY A DEED OF TRUST OR MORTGAGE BY EXECUTION OF A CERTIFICATE OF SATISFACTION, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 13, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 84,** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PLACE TIME LIMITS ON OPTIONS IN GROSS AND OTHER INTERESTS IN LAND, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, and requests conferees.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 1012,** A BILL TO BE ENTITLED AN

ACT TO IMPROVE THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS, is read the first time and referred to the Committee on Appropriations.

Committee Substitute for **H.B. 108,** A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIALIZED REGISTRATION PLATES FOR RETIRED CLERKS OF SUPERIOR COURT, is returned for concurrence in three Senate amendments and placed on the Calendar for June 15.

Upon concurrence, Senate Amendment Nos. 1 and 2 change the title.

The Chair rules Amendment Nos. 1 and 2 to be material, thus constituting their first reading.

Committee Substitute for **H.B. 328,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR FAILURE TO GIVE WAY TO AN OVERTAKING VEHICLE, is returned for concurrence in Senate amendment and placed on the Calendar for June 15.

Senate Committee Substitute for **H.B. 340,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INDIVIDUAL WHO IS UNABLE TO PASS A CONTROLLED SUBSTANCE EXAMINATION IS INELIGIBLE FOR UNEMPLOYMENT BENEFITS UNDER CERTAIN CIRCUMSTANCES, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 15.

Senate Committee Substitute for **H.B. 739,** A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE TRANSFER OF CREDIT BETWEEN NORTH CAROLINA INSTITUTIONS OF HIGHER EDUCATION, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 15.

H.B. 740, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRANSFER OF ACADEMIC CREDIT FROM COMMUNITY COLLEGE PROGRAMS TO FOUR-YEAR COLLEGE PROGRAMS, is returned for concurrence in Senate amendment and placed on the Calendar for June 15.

Senate Committee Substitute for **H.B. 767,** A BILL TO BE ENTITLED AN ACT PROMOTING THE USE OF THE EDDIE EAGLE ELEMENTARY GUN SAFETY EDUCATION PROGRAM IN STATE'S ELEMENTARY SCHOOLS, is returned for concurrence in Senate committee substitute and

placed on the Calendar for June 15.

Upon concurrence, the Senate committee substitute changes the title.

H.B. 907, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE AND ITS POLITICAL SUBDIVISIONS TO BE SUBJECT TO STATUTES OF LIMITATION AND REPOSE FOR CERTAIN CIVIL ACTIONS AND TO PROVIDE A TEN-YEAR STATUTE OF LIMITATION FOR THOSE SAME ACTIONS BROUGHT BY THE STATE OR A POLITICAL SUBDIVISION OF THE STATE WHEN THE FUNCTION AT ISSUE IS GOVERNMENTAL, is returned for concurrence in Senate amendment and placed on the Calendar for June 15.

Upon concurrence, the Senate amendment changes the title.

Committee Substitute for **H.B. 912,** A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 11 OF CHAPTER 130A OF THE GENERAL STATUTES REGARDING WASTEWATER SYSTEMS, is returned for concurrence in Senate amendment and placed on the Calendar for June 15.

Committee Substitute for **S.B. 689,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE OLYMPIC GAMES, is read the first time and referred to the Committee on Transportation.

S.B. 807, A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES TO PARTICIPATE IN LOCAL VOCATIONAL TRAINING AND EMPLOYMENT OPPORTUNITY INITIATIVES THROUGH THE CREATION OF REGIONAL VOCATIONAL SERVICES AUTHORITIES, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

S.B. 1055, A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXCISE TAX ON NEWSPRINT, is read the first time and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

BILL RE-CALENDARED

On motion of the Chair, **H.J.R. 1055,** A JOINT RESOLUTION RECOGNIZING THE ONE HUNDREDTH YEAR OF WOMEN SERVING IN STATE LEGISLATURES AND THE MANY CONTRIBUTIONS WOMEN SERVING OR FORMERLY SERVING, IN VARIOUS CAPACITIES IN THE GENERAL ASSEMBLY OF THE STATE OF NORTH CAROLINA HAVE MADE TO OUR LEGISLATIVE PROCESS, AND HONORING NORTH CAROLINA'S WOMEN LEGISLATORS WHO ARE NOW DECEASED, is moved up on the Calendar as a Special Order of Business.

The resolution passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

S.B. 1086, A BILL TO BE ENTITLED AN ACT TO ALLOW BANKS TO MAKE LOANS SECURED BY SHARES OF ITS OWN STOCK OR THAT OF ITS PARENT HOLDING COMPANY UNDER CERTAIN CIRCUMSTANCES.

Pursuant to Rule 24.1A(c), the requests that Representatives Arnold, Blue, Daughtry, Edwards, Fox, Gamble, Kiser, Locke, McCombs, Hightower, G. Robinson, and C. Wilson be excused from voting on June 12 are continued.

Representative Neely offers Amendment No. 1 which is adopted by electronic vote (96-0).

The bill, as amended, passes its third reading, by electronic vote (94-2), and is ordered sent to the Senate for concurrence in House amendment.

House Committee Substitute for **S.B. 1042,** A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS REGARDING GUARANTEED ENERGY SAVINGS CONTRACTS IN ORDER TO ENHANCE THE VIABILITY OF GUARANTEED ENERGY SAVINGS CONTRACTS BY LOCAL GOVERNMENTAL UNITS AND TO REPEAL THE SUNSET FOR LOCAL GOVERNMENTAL UNITS TO ENTER INTO THESE CONTRACTS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

S.B. 554, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PURCHASE OF GOODS AND SERVICES FOR PERSONS WITH DISABILITIES UNDER PROCEDURES THAT ALLOW FLEXIBILITY TO MEET INDIVIDUAL NEEDS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 268,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FEES PAID BY BORROWERS TO LOSS RESERVE ACCOUNTS OF STATE-FUNDED ECONOMIC DEVELOPMENT PROGRAMS ARE NOT CONSIDERED INTEREST OR SUBJECT TO CLAIMS OR DEFENSES OF USURY, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute No. 2 for **S.B. 414,** A BILL TO BE ENTITLED AN ACT TO "OPT-IN" FOR INTERSTATE BRANCHING AUTHORITY UNDER THE RIEGLE-NEAL INTERSTATE BANKING AND BRANCHING EFFICIENCY ACT OF 1994, AND TO MAKE A CONFORMING CHANGE TO THE REVENUE LAWS.

Representative C. Wilson requests that she be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

Representative Tallent offers Amendment No. 1 which is adopted by electronic vote (108-0).

The bill, as amended, passes its third reading, by electronic vote (101-1), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2.

House Committee Substitute for **S.B. 693,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO IMPROVE THE ADMINISTRATION OF THE PROPERTY TAX ON MOTOR VEHICLES.

On motion of the Chair, the bill is temporarily displaced.

House Committee Substitute for **S.B. 300,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO PLEDGE BLOCK GRANT FUNDS AS LOAN GUARANTEES PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

S.B. 616, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY TO MAIM, TO SERIOUSLY INJURE, OR TO KILL A LAW-ENFORCEMENT ANIMAL, passes its second reading, by electronic vote (103-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute No. 2 for **S.B. 287,** A BILL TO BE ENTITLED AN ACT TO CREATE OFFENSES OF STATUTORY RAPE AND STATUTORY SEXUAL OFFENSE AGAINST VICTIMS WHO ARE THIRTEEN, FOURTEEN, OR FIFTEEN YEARS OLD.

Representative Justus calls the previous question on the passage of the bill and the call is sustained by electronic vote (83-29).

The bill passes its second reading by electronic vote (80-31).

Representative Hensley objects to the third reading. The bill remains on the Calendar.

VOTE RECONSIDERED

Representative Neely, having voted with the prevailing side, moves to reconsider the vote by which **S.B. 447,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT BOARDS OF COUNTY COMMISSIONERS AND CITY COUNCILS FROM APPOINTING MORE THAN ONE OF THEIR OWN MEMBERS TO SERVE ON ANY PUBLIC BOARD OR COMMISSION EXCEPT WHERE A STATUTE REQUIRES A MEMBER OF THAT BOARD TO SERVE, failed to pass its second reading. The motion carries by electronic vote (63-50).

On motion of Representative Neely and without objection, the bill

is re-referred to the Committee on State Government.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 693,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO IMPROVE THE ADMINISTRATION OF THE PROPERTY TAX ON MOTOR VEHICLES, which was temporarily displaced, is withdrawn from the Calendar and re-referred to the Committee on Ways and Means.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 593,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF BOGUE.

On motion of Representative Preston, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Church, Culpepper, and Sharpe - 3.

Senate Committee Substitute for **H.B. 642,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE SIZE OF THE BOARD OF

COMMISSIONERS OF EDGECOMBE COUNTY FROM FIVE TO SEVEN MEMBERS AND PROVIDE FOR THE ELECTORAL DISTRICTS.

On motion of Representative Tolson, the House concurs in the Senate committee substitute, by electronic vote (112-0), and the bill is ordered enrolled.

Senate Committee Substitute No. 2 for **H.B. 208,** A BILL TO BE ENTITLED AN ACT TO ALLOW EDGECOMBE, GREENE, JACKSON, AND MADISON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION.

On motion of Representative Beall, the House concurs in material Senate Committee Substitute No. 2, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Church, Culpepper, and Sharpe - 3.

Senate Committee Substitute for **H.B. 333,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A REGISTER OF DEEDS WHO COMPLETES SERVICE AFTER TEN YEARS OF ELIGIBLE SERVICE AS REGISTER OF DEEDS BUT DOES NOT COMMENCE RETIREMENT FROM THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM MAY RECEIVE A MONTHLY PENSION FROM THE

REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND UPON RETIREMENT UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

On motion of Representative Buchanan, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (110-1), and the bill is ordered enrolled.

Committee Substitute for **H.B. 692,** A BILL TO BE ENTITLED AN ACT ALLOWING WAKE COUNTY TO USE ALTERNATIVE METHODS OF NOTIFICATION OF PROPERTY OWNERS OF PROPOSED ZONING NOTICE CHANGES.

On motion of Representative Ellis, the House concurs in the Senate amendment, which changes the title, by electronic vote (111-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 851,** A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES WITH REGARD TO FORFEITURE OF SURETY BONDS.

Representative Pulley moves that the House concur in the Senate committee substitute.

On motion of Representative Morgan, the bill is withdrawn from the Calendar and placed on the Calendar of June 15.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 4,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROVIDING THAT A DEFENDANT MAY CHOOSE IMPRISONMENT RATHER THAN PROBATION OR AN ALTERNATIVE PUNISHMENT AND TO AMEND THE CONSTITUTION TO PROVIDE THAT PROBATION, RESTITUTION, COMMUNITY SERVICE, WORK PROGRAMS, AND OTHER RESTRAINTS ON LIBERTY ARE PUNISHMENTS THAT MAY BE IMPOSED ON A PERSON CONVICTED OF A CRIMINAL OFFENSE.

Representative Justus calls the previous question on the passage of the bill and the call is sustained by electronic vote (87-26).

The bill passes its second reading, by the following vote, and remains on

the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Daughtry, Davis, Dockham, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sherrill, Shubert, Sutton, Tallent, Thompson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 88.

Voting in the negative: Representatives Adams, Alexander, Barnes, Blue, Bowie, Boyd-McIntyre, Braswell, Cunningham, Decker, Dickson, Earle, Easterling, Fitch, Hackney, Hensley, H. Hunter, Lee, Linney, Luebke, Michaux, Oldham, Ramsey, Tolson, Wainwright, Womble, and Wright - 26.

Excused absences: Representatives Church, Culpepper, and Sharpe - 3.

House Committee Substitute for **S.B. 51,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A ONE-YEAR SUSPENSION FOR ANY STUDENT WHO BRINGS CERTAIN WEAPONS ONTO SCHOOL PROPERTY AND TO ALLOW THE SUPERINTENDENT TO MODIFY THE SUSPENSION FOR CHILDREN WITH SPECIAL NEEDS OR BY PROVIDING AN ALTERNATIVE SCHOOL SETTING, passes its third reading, by electronic vote (106-1), and is ordered sent to the Senate for concurrence in House committee substitute.

H.B. 768, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE HIGHWAY USE TAX TRADE-IN ALLOWANCE APPLIES WHEN TWO CARS ARE EXCHANGED FOR ONE ANOTHER, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

House Committee Substitute for **S.B. 724,** A BILL TO BE ENTITLED AN ACT TO DESCRIBE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, AS RECOMMENDED BY

THE GENERAL STATUTES COMMISSION.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted by electronic vote (107-1).

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 244,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SUMMARY ADMINISTRATION OF AN ESTATE WHERE A SURVIVING SPOUSE IS THE SOLE BENEFICIARY OF THE ESTATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative W. Brown, the bill is temporarily displaced.

S.B. 318, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TIME REQUIREMENT FOR THE UPDATING OF THE PLAN FOR SERVING OLDER ADULTS, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 334,** A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE LONG-TERM CARE OMBUDSMAN PROGRAM LAW, THE NURSING HOME COMMUNITY ADVISORY COMMITTEE LAW, AND THE DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEE LAW, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 416, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROVISION OF THE JUVENILE CODE GOVERNING THE AUTHORITY OF MEDICAL PROFESSIONALS TO CONFORM TO THE REVISED DEFINITION OF ABUSE, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 585,** A BILL TO BE ENTITLED AN ACT TO EXPEDITE EXECUTION OR JUDGMENTS AGAINST THE PROPERTY OF THE JUDGMENT DEBTOR, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 244,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SUMMARY ADMINISTRATION OF AN ESTATE WHERE A SURVIVING SPOUSE IS THE SOLE BENEFICIARY OF THE ESTATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 236,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE INSURANCE REGULATORY CHARGE AND TO PROVIDE FOR THE DISPOSITION OF FEES COLLECTED BY THE DEPARTMENT OF INSURANCE, is withdrawn from the Calendar and re-referred to the Committee on Pensions and Retirement.

CONFERENCE REPORT

Representative Sutton sends forth the Conference Report on **H.B. 459,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CANCELLATION OF A NOTE OR OTHER INDEBTEDNESS SECURED BY A DEED OF TRUST OR MORTGAGE BY EXECUTION OF A CERTIFICATE OF SATISFACTION. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 15.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative McCombs for the Committee on Pensions and Retirement:

S.B. 341, A BILL TO BE ENTITLED AN ACT TO BRING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM INTO COMPLIANCE WITH THE INTERNAL REVENUE CODE AND TO BRING THE SUPPLEMENTAL RETIREMENT INCOME PLANS FOR STATE AND LOCAL LAW ENFORCEMENT OFFICERS INTO COMPLIANCE WITH THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Justus and Thompson for the Permanent Subcommittee on Justice and Public Safety:

H.B. 909, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COURT TO ORDER CERTAIN DEFENDANTS TO POST A PROBATION BOND AS A CONDITION OF PROBATION, reported to the Standing Committee on Appropriations, with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the proposed committee substitute be re-referred to the Committee on Finance.

By Representative Decker for the Committee on Local and Regional Government II:

Committee Substitute for **S.B. 661,** A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN MONTGOMERY COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 684, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF DURHAM TO AUTHORIZE THE MAKING OF EMERGENCY REPAIRS TO NONRESIDENTIAL BUILDINGS, with a

favorable report.

On motion of the Chair, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

S.B. 685, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM TO REQUIRE CERTAIN ACTIONS OF ITS TRANSPORTATION AUTHORITY TO BE BY SUPERMAJORITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 694,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE GOLDSBORO FIREMEN'S SUPPLEMENTAL PENSION FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

The bill is re-referred to the Committee on Pensions and Retirement.

By Representative Sherrill for the Permanent Subcommittee on Boards and Commissions of the Standing Committee on State Government, with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 814, A BILL TO BE ENTITLED AN ACT TO CREATE THE WELL CONTRACTORS AND PUMP CONTRACTORS CERTIFICATION COMMISSION; TO AMEND THE WELL DRILLERS AND PUMP INSTALLERS REGISTRATION REQUIREMENTS; AND MAKE VARIOUS AMENDMENTS TO THE WELL CONSTRUCTION ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Tallent for the Committee on Financial Institutions:

S.B. 415, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

House Committee Substitute for **S.B. 52,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS FROM THE STATE-OWNED SUBMERGED LANDS ADVISORY COMMITTEE AND TO AMEND CHAPTER 146 OF THE GENERAL STATUES CONCERNING SUBMERGED LANDS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1 and recommendation that House Committee Substitute Bill No. 2 be re-referred to the Committee on Finance.

House Committee Substitute Bill No. 2 is re-referred to the Committee on Finance. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.J.R. 1056, A JOINT RESOLUTION SUPPORTING THE REPUBLIC OF CHINA ON TAIWAN'S PARTICIPATION IN THE UNITED NATIONS AND OTHER INTERNATIONAL FORUMS SUCH AS MULTILATERAL TRADE ASSOCIATIONS AND HUMANITARIAN RELIEF ORGANIZATIONS, with a favorable report as to committee substitute joint resolution, which changes the title, unfavorable as to original resolution.

Pursuant to Rule 36(a), the committee substitute joint resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 332,** A BILL TO BE ENTITLED AN ACT TO RAISE THE MAXIMUM LATE PAYMENT CHARGE FOR REVOLVING CREDIT LOANS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 412, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW CONCERNING THE FEDERAL PREEMPTION OF STATE USURY

LAWS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 568, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DAVIE COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE ON THE FIRST MONDAY IN JULY FOLLOWING THEIR ELECTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 754, A BILL TO BE ENTITLED AN ACT TO ALLOW MOTOR VEHICLE DEALERS TO INCLUDE IN THEIR POSSESSORY LIENS AMOUNTS FOR RENTAL OF SUBSTITUTE VEHICLES AND TO ALLOW LIENORS WHO PURCHASE FOR VALUE AT A SALE TO ACQUIRE CLEAR TITLE TO THE SAME EXTENT AS OTHER PURCHASERS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 828, A BILL TO BE ENTITLED AN ACT TO MAKE APPOINTMENTS TO VARIOUS COMMISSIONS UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 987,** A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSE OF CONTINUING CRIMINAL ENTERPRISE WITH REGARD TO CRIMINAL OFFENSES THAT ARE NOT DRUG OFFENSES, TO PROVIDE THAT FAILURE OF AN ITINERANT MERCHANT TO KEEP A RECEIPT OR INVOICE WITH CERTAIN INFORMATION INDICATING THE SOURCE OF THE MERCHANT'S PRODUCTS AND TO SHOW THE RECEIPT OR INVOICE TO A LAW ENFORCEMENT OFFICER UPON REQUEST IS PRIMA FACIE EVIDENCE THAT THE PRODUCTS ARE STOLEN AND TO

MAKE OTHER CHANGES, with favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 15.

S.J.R. 1096, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARY FRANCES POWELL SEYMOUR, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report as to House committee substitute joint resolution, unfavorable as to original resolution.

Pursuant to Rule 36(a), the House committee substitute joint resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative Berry, **S.B. 423,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE VOCATIONAL REHABILITATION/INDEPENDENT LIVING PROGRAM FOR PEOPLE WITH DISABILITIES, is withdrawn from the Permanent Subcommittee on Families and re-referred to the Standing Committee on Welfare Reform and Human Resources.

On motion of Representative Holmes, Committee Substitute No. 2 for **H. B. 540,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF EIGHT HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF HE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Appropriations, Subcommittee on Transportation.

On motion of Representative Morgan, seconded by Representative Warner, the House adjourns at 4:09 p.m. to reconvene June 15, at 1:30 p.m.

EIGHTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, June 15, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Heavenly Father, thank You for another week, and for those with whom we have served. Sunday is Father's Day. If we had a good Father we are grateful, and if we have a good Father we ought to send him a card or something. I was thinking about You, Lord, and how You as our Heavenly Father are like a Shepherd who gives us all that we really need. You cause us to lie down with a sense of security and peace so that our souls and body can get back together. You let us know what bills are right and that will do good. You assure us that You will walk with us through every valley, and that You are the standard by which to measure truth, and that we can depend on You. You let us know that we are loved even in the midst of those who hate us, and You heal our wounded spirits and bring peace. With You as our Father, goodness and mercy will hold our hands, and one day as we walk we'll be closer to Your house than our own, and so we'll just go home with You. (Psalm 23). Thank You for being our Father and help us now as we finish out this day, and may each of us have a safe and happy weekend with our families. In Your name we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 14 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (82-0).

Leaves of absence are granted Representatives Cummings, Edwards, Mercer, Ramsey, Sharpe, and Wright for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 208, AN ACT TO ALLOW ALLEGHANY, CURRITUCK, EDGECOMBE, GREENE, HALIFAX, JACKSON, MADISON, MOORE, RANDOLPH, SCOTLAND, UNION, AND WAKE COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION AND TO CLARIFY THAT BOARDS OF EDUCATION HAVE THE SAME DEGREE OF CONSTRUCTION OVERSIGHT WHEN

A COUNTY OWNS THE PROPERTY UPON WHICH THE SCHOOL BUILDINGS ARE BUILT AS WHEN THE LOCAL BOARDS OWN THE PROPERTY. (CHAPTER 251)

S.B. 268, AN ACT TO PROVIDE THAT FEES PAID BY BORROWERS TO LOSS RESERVE ACCOUNTS OF STATE-FUNDED ECONOMIC DEVELOPMENT PROGRAMS ARE NOT CONSIDERED INTEREST OR SUBJECT TO CLAIMS OR DEFENSES OF USURY. (CHAPTER 252)

S.B. 318, AN ACT TO CHANGE THE TIME REQUIREMENT FOR THE UPDATING OF THE PLAN FOR SERVING OLDER ADULTS. (CHAPTER 253)

S.B. 334, AN ACT TO MAKE CLARIFYING CHANGES TO THE LONG-TERM CARE OMBUDSMAN PROGRAM LAW, THE NURSING HOME COMMUNITY ADVISORY COMMITTEE LAW, AND THE DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEE LAW. (CHAPTER 254)

S.B. 416, AN ACT TO REVISE THE PROVISION OF THE JUVENILE CODE GOVERNING THE AUTHORITY OF MEDICAL PROFESSIONALS TO CONFORM TO THE REVISED DEFINITION OF ABUSE. (CHAPTER 255)

S.B. 554, AN ACT TO AUTHORIZE THE PURCHASE OF GOODS AND SERVICES FOR PERSONS WITH DISABILITIES UNDER PROCEDURES THAT ALLOW FLEXIBILITY TO MEET INDIVIDUAL NEEDS. (CHAPTER 256)

S.B. 585, AN ACT TO EXPEDITE EXECUTION OR JUDGMENTS AGAINST THE PROPERTY OF THE JUDGMENT DEBTOR. (CHAPTER 257)

S.B. 616, AN ACT TO MAKE IT A FELONY TO MAIM, TO SERIOUSLY INJURE, OR TO KILL A LAW-ENFORCEMENT ANIMAL. (CHAPTER 258)

H.B. 333, AN ACT TO PROVIDE THAT A REGISTER OF DEEDS WHO COMPLETES SERVICE AFTER TEN YEARS OF ELIGIBLE SERVICE AS REGISTER OF DEEDS BUT DOES NOT COMMENCE RETIREMENT FROM THE LOCAL GOVERNMENTAL EMPLOYEES'

RETIREMENT SYSTEM MAY RECEIVE A MONTHLY PENSION FROM THE REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND UPON RETIREMENT UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND TO CONFORM THE EARNINGS LIMITATIONS OF LOCALLY SPONSORED PLANS TO THOSE OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM. (CHAPTER 259)

H.B. 642, AN ACT TO INCREASE THE SIZE OF THE BOARD OF COMMISSIONERS OF EDGECOMBE COUNTY FROM FIVE TO SEVEN MEMBERS AND PROVIDE FOR THE ELECTORAL DISTRICTS, AND TO ALLOW THE NORTHAMPTON COUNTY BOARD OF SOCIAL SERVICES TO EMPLOY ONE OF ITS MEMBERS. (CHAPTER 260)

H.B. 692, AN ACT ALLOWING COUNTIES TO USE ALTERNATIVE METHODS OF NOTIFICATION OF PROPERTY OWNERS OF PROPOSED ZONING NOTICE CHANGES. (CHAPTER 261)

S.B. 82, AN ACT TO INCREASE THE AMOUNT OF PROPERTY COLLECTIBLE BY SMALL ESTATE AFFIDAVIT WHERE THE SOLE HEIR AND/OR DEVISEE IS THE SURVIVING SPOUSE, TO INCREASE THE MINIMUM AMOUNT OF INTESTATE PERSONAL PROPERTY PASSING TO THE SURVIVING SPOUSE, AND TO INCREASE THE AMOUNT OF THE YEAR'S ALLOWANCE FOR A SURVIVING SPOUSE AND CHILDREN, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO INCREASE THE LIMITATION FOR FUNERAL EXPENSES. (CHAPTER 262)

S.B. 349, AN ACT TO REVISE THE MEMBERSHIP OF THE HOUSING COORDINATION AND POLICY COUNCIL. (CHAPTER 263)

S.B. 505, AN ACT TO CLARIFY THE GROUNDS FOR REMOVAL OF A MEMBER OF A LOCAL BOARD OF HEALTH. (CHAPTER 264)

S.B. 519, AN ACT TO ENCOURAGE THE PURCHASE OF COMMODITIES AND SERVICES OFFERED BY BLIND AND BY SEVERELY DISABLED PERSONS. (CHAPTER 265)

S.B. 679, AN ACT TO VALIDATE CERTAIN ACTIONS OF WATER AND SEWER DISTRICTS AND TO PROVIDE FOR PAYMENT OF RELOCATION COSTS OF WATER AND SEWER LINES BELONGING TO CERTAIN MUNICIPALITIES. (CHAPTER 266)

S.B. 686, AN ACT TO CLARIFY THE VOTING AUTHORITY OF MEMBERS OF THE STATE BANKING COMMISSION. (CHAPTER 267)

S.B. 818, AN ACT TO ESTABLISH A BIRTH DEFECTS MONITORING PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES. (CHAPTER 268)

S.B. 967, AN ACT TO ESTABLISH A PILOT PROGRAM TO PERMIT COMMUNITY COLLEGES TO USE INMATE LABOR FOR CAPITAL CONSTRUCTION PROJECTS. (CHAPTER 269)

H.B. 341, AN ACT TO ESTABLISH REQUIREMENTS FOR INDIVIDUALS TO REPORT WORK SEARCH EFFORTS IN ORDER TO REMAIN ELIGIBLE FOR UNEMPLOYMENT BENEFITS. (CHAPTER 270)

H.B. 792, AN ACT TO DIRECT THE UTILITIES COMMISSION TO PROVIDE THAT EACH FRANCHISED NATURAL GAS DISTRIBUTION COMPANY SHALL EXPAND SERVICE TO ALL AREAS OF ITS FRANCHISE TERRITORY WITHIN THREE YEARS OR LOSE ITS EXCLUSIVE RIGHTS TO THE FRANCHISE TERRITORY. (CHAPTER 271)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

Representative Sherrill sends forth the following reports concerning confirmation of the Governor's appointments to the State Personnel Commission.

June 14, 1995

The Speaker and Members of the House
North Carolina General Assembly
State Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker and Members of the House:

In compliance with the provisions of G.S. 126-2 requiring appointees to the State Personnel Commission to be confirmed by the General Assembly, Governor Hunt has submitted his appointee, Mr. George Allison, for confirmation. This term will begin July 1, 1995 and expires June 30, 2001.

The House Committee on Boards & Commissions has considered the appointment and makes the following recommendation to the General Assembly:

That the appointment of Mr. George Allison to the State Personnel Commission beginning July 1, 1995 and expiring June 30, 2001, be confirmed.

Respectfully submitted,
S/ Wilma Sherrill, Chair
House Subcommittee on Boards
& Commissions

June 14, 1995

The Speaker and Members of the House
North Carolina General Assembly
State Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker and Members of the House:

In compliance with the provisions of G.S. 126-2 requiring appointees to the State Personnel Commission to be confirmed by the General Assembly, Governor Hunt has submitted his appointee, Mr. Allen Wellons, for confirmation. This term will begin July 1, 1995 and expires June 30, 2001.

The House Committee on Boards & Commissions has considered the appointment and makes the following recommendation to the General Assembly:

That the appointment of Mr. Allen Wellons to the State Personnel Commission beginning July 1, 1995 and expiring June 30, 2001, be confirmed.

Respectfully submitted,
S/ Wilma Sherrill, Chair
House Subcommittee on Boards
& Commissions

The confirmation of the Governor's appointments is placed on the Calendar of June 19.

By Representative G. Robinson for the Committee on Business and Labor:

H.B. 555, A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA BOXING COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 1061, A BILL TO BE ENTITLED AN ACT TO PROVIDE A CORPORATE INCOME TAX CREDIT FOR RETAINING THREATENED MANUFACTURING JOBS IN DISTRESSED COUNTIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 1015, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEFINITION OF "DEVELOPER" FOR PURPOSES OF THE TIME SHARE ACT, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 826,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF SOIL SCIENTISTS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable

Calendar.

H.B. 865, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BOARD OF LANDSCAPE ARCHITECTS TO CHARGE REASONABLE FEES FOR THE REGISTRATION EXAMINATION TO RECOVER ALL COSTS FOR PUBLISHED MATERIALS AND TO MAKE A TECHNICAL CORRECTION TO THE FEE SCHEDULE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 166,** A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS OF LAW THAT REGULATE ATTORNEYS-AT-LAW, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 496, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL GOVERNMENTS TO FORGO COLLECTION OF AD VALOREM TAX BILLS WHEN THE ORIGINAL PRINCIPAL AMOUNT DUE IS UNDER FIVE DOLLARS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 19.

S.B. 642, A BILL TO BE ENTITLED AN ACT TO UPDATE THE FEE STRUCTURE OF THE NORTH CAROLINA BOARD FOR SOCIAL WORK, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 664, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF PLYMOUTH, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Bowie and Barbee for the Permanent Subcommittee on Transportation of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute No. 2 for **H.B. 540,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF EIGHT HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF HE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND, with a favorable report as to Committee Substitute Bill No. 3, unfavorable as to Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), Committee Substitute Bill No. 3 is placed on the Calendar. Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representative Wood for the Committee on Education:

H.B. 939, A BILL TO BE ENTITLED AN ACT TO REPEAL THE BASIC EDUCATION PROGRAM AND THE OUTCOME-BASED EDUCATION PROGRAM AND REPLACE THEM WITH THE REAL EDUCATION PROGRAM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 127,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 19.

Senate Committee Substitute for **H.B. 730,** A BILL TO BE ENTITLED AN ACT TO PREVENT FRIVOLOUS MEDICAL MALPRACTICE ACTIONS BY REQUIRING THAT EXPERT WITNESSES IN MEDICAL MALPRACTICE CASES HAVE APPROPRIATE QUALIFICATIONS TO TESTIFY ON THE STANDARD OF CARE AT ISSUE AND TO REQUIRE EXPERT WITNESS REVIEW AS A CONDITION OF FILING A MEDICAL

MALPRACTICE ACTION, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 19.

S.J.R. 1095, A JOINT RESOLUTION RECOGNIZING THE ONE HUNDREDTH YEAR OF WOMEN SERVING IN STATE LEGISLATURES AND THE MANY CONTRIBUTIONS WOMEN SERVING OR FORMERLY SERVING, IN VARIOUS CAPACITIES IN THE GENERAL ASSEMBLY OF THE STATE OF NORTH CAROLINA HAVE MADE TO OUR LEGISLATIVE PROCESS, AND HONORING NORTH CAROLINA'S WOMEN LEGISLATORS WHO ARE NOW DECEASED, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

Representative Sutton moves the adoption of the following Conference Report.

H.B. 459

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 459, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CANCELLATION OF A NOTE OR OTHER INDEBTEDNESS SECURED BY A DEED OF TRUST OR MORTGAGE BY EXECUTION OF A CERTIFICATE OF SATISFACTION, submit the following report.

The House concurs in Senate Amendment #1 and the House and Senate agree to the following amendments:

on page 2, line 32, delete the word "either"; and

on page 2, line 33, insert the word "either" after the word "and".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 13, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Wib Gulley	S/ Ronnie Sutton
S/ Frank W. Ballance, Jr.	S/ J. Shawn Lemmond
S/ Fletcher L. Hatsell, Jr.	S/ Joe Kiser

The Conference Report is adopted by electronic vote (104-0) and the Senate is so notified by Special Message.

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 593,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF BOGUE.

On motion of Representative Preston, the House concurs in the material Senate committee substitute on its third roll call reading, which changes the title, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Cummings, Edwards, Mercer,

Ramsey, Sharpe, and Wright - 6.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative J. Brown and without objection, Committee Substitute for **H.B. 108,** A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIALIZED REGISTRATION PLATES FOR RETIRED CLERKS OF SUPERIOR COURT, is withdrawn from the Calendar and placed on the Calendar of June 19.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 851,** A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES WITH REGARD TO FORFEITURE OF SURETY BONDS.

Representative Pulley moves that the House concur in the Senate committee substitute.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (77-23).

The House concurs in the Senate committee substitute, which changes the title, by electronic vote (87-19), and the bill is ordered enrolled.

Committee Substitute for **H.B. 328,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR FAILURE TO GIVE WAY TO AN OVERTAKING VEHICLE.

On motion of Representative Rayfield, the House concurs in the Senate amendment, by electronic vote (99-7), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 340,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INDIVIDUAL WHO IS UNABLE TO PASS A CONTROLLED SUBSTANCE EXAMINATION IS INELIGIBLE FOR UNEMPLOYMENT BENEFITS UNDER CERTAIN CIRCUMSTANCES.

On motion of Representative G. Robinson, the bill is temporarily displaced.

Senate Committee Substitute for **H.B. 739,** A BILL TO BE ENTITLED

AN ACT TO SIMPLIFY THE TRANSFER OF CREDIT BETWEEN NORTH CAROLINA INSTITUTIONS OF HIGHER EDUCATION.

On motion of Representative Grady, the House concurs in the Senate committee substitute, by electronic vote (104-1), and the bill is ordered enrolled.

H.B. 740, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRANSFER OF ACADEMIC CREDIT FROM COMMUNITY COLLEGE PROGRAMS TO FOUR-YEAR COLLEGE PROGRAMS.

On motion of Representative Grady, the House concurs in the Senate amendment, by electronic vote (106-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 767,** A BILL TO BE ENTITLED AN ACT PROMOTING THE USE OF THE EDDIE EAGLE ELEMENTARY GUN SAFETY EDUCATION PROGRAM IN STATE'S ELEMENTARY SCHOOLS.

On motion of Representative Sexton, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (107-3), and the bill is ordered enrolled.

Committee Substitute for **H.B. 912,** A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 11 OF CHAPTER 130A OF THE GENERAL STATUTES REGARDING WASTEWATER SYSTEMS.

On motion of Representative Redwine, the House concurs in the Senate amendment, by electronic vote (106-3), and the bill is ordered enrolled.

H.B. 907, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE AND ITS POLITICAL SUBDIVISIONS TO BE SUBJECT TO STATUTES OF LIMITATION AND REPOSE FOR CERTAIN CIVIL ACTIONS AND TO PROVIDE A TEN-YEAR STATUTE OF LIMITATION FOR THOSE SAME ACTIONS BROUGHT BY THE STATE OR A POLITICAL SUBDIVISION OF THE STATE WHEN THE FUNCTION AT ISSUE IS GOVERNMENTAL.

On motion of Representative Eddins, the House concurs in the Senate amendment, which changes the title, by electronic vote (107-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 340,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INDIVIDUAL WHO IS UNABLE TO PASS A CONTROLLED SUBSTANCE EXAMINATION IS INELIGIBLE FOR UNEMPLOYMENT BENEFITS UNDER CERTAIN CIRCUMSTANCES, which was temporarily displaced, is before the Body.

On motion of Representative G. Robinson, the House concurs in the Senate committee substitute, by electronic vote (107-0), and the bill is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 543,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SWORN AND CERTIFIED JAILERS AND TELECOMMUNICATORS EMPLOYED BY THE CATAWBA COUNTY SHERIFF'S DEPARTMENT ARE ELIGIBLE TO RECEIVE THE BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, passes its second reading.

Representative Linney objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 714, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM RELATING TO NOTIFICATION REQUIREMENTS FOR REZONING ANNEXED PROPERTY.

On motion of Representative Luebke, the bill is temporarily displaced.

House Committee Substitute for **S.B. 4,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROVIDING THAT A DEFENDANT MAY CHOOSE IMPRISONMENT RATHER THAN PROBATION OR AN ALTERNATIVE PUNISHMENT AND TO AMEND THE CONSTITUTION TO PROVIDE THAT PROBATION, RESTITUTION, COMMUNITY SERVICE, WORK PROGRAMS, AND OTHER RESTRAINTS ON LIBERTY ARE PUNISHMENTS THAT MAY BE IMPOSED ON A PERSON CONVICTED OF A CRIMINAL OFFENSE.

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (74-34).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Beall, Berry, Black, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, McComas, McCombs, McCrary, McLaughlin, McMahan, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 94.

Voting in the negative: Representatives Adams, Alexander, Barnes, Blue, Boyd-McIntyre, Braswell, Cunningham, Earle, Easterling, Fitch, Hackney, Hensley, H. Hunter, Linney Luebke, McAllister, Michaux, and Womble - 18.

Excused absences: Representatives Edwards, Mercer, Ramsey, Sharpe, and Wright - 5.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute No. 2 for **H.B. 5,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PUBLIC ASSISTANCE PERSONAL AND FAMILY RESPONSIBILITY ACT OF 1995 AND TO REAUTHORIZE THE LEGISLATIVE STUDY COMMISSION ON WELFARE REFORM, is withdrawn from the Calendar and placed on the Calendar of June 22.

On motion of Representative Morgan and without objection, Committee Substitute No. 2 for **H.B. 168,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF CHILD SUPPORT BY CREATING ADDITIONAL REMEDIES, is withdrawn from the Calendar and placed on the Calendar of June 22.

On motion of Representative Nichols and without objection, House Committee Substitute for **S.B. 687,** A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 11 OF CHAPTER 130A OF THE GENERAL

STATUTES REGARDING WASTEWATER SYSTEMS, is withdrawn from the Calendar and re-referred to the Committee on Health and Environment.

On motion of Representative Culpepper and without objection, House Committee Substitute for **S.B. 119,** A BILL TO BE ENTITLED AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS AND ARCHITECTS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER WITHOUT COMPENSATION, is withdrawn from the Calendar and placed on the Calendar of June 20.

MOTION TO WITHDRAW BILL FROM CALENDAR

Representative Hensley moves that Committee Substitute No. 2 for **S.B. 287,** A BILL TO BE ENTITLED AN ACT TO CREATE OFFENSES OF STATUTORY RAPE AND STATUTORY SEXUAL OFFENSE AGAINST VICTIMS WHO ARE THIRTEEN, FOURTEEN, OR FIFTEEN YEARS OLD, be withdrawn from the Calendar and placed on the Calendar of June 22.

The motion fails by electronic vote (49-60).

CALENDAR (continued)

S.B. 714, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM RELATING TO NOTIFICATION REQUIREMENTS FOR REZONING ANNEXED PROPERTY, which was temporarily displaced, is before the Body.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute No. 2 for **S.B. 287,** A BILL TO BE ENTITLED AN ACT TO CREATE OFFENSES OF STATUTORY RAPE AND STATUTORY SEXUAL OFFENSE AGAINST VICTIMS WHO ARE THIRTEEN, FOURTEEN, OR FIFTEEN YEARS OLD.

Representative Justus calls the previous question on the passage of the bill and the call is sustained by electronic vote (71-36).

The bill passes its third reading, by electronic vote (89-18), and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 987,** A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSE OF CONTINUING CRIMINAL ENTERPRISE WITH REGARD TO CRIMINAL OFFENSES THAT ARE NOT DRUG OFFENSES, TO PROVIDE THAT FAILURE OF AN ITINERANT MERCHANT TO KEEP A RECEIPT OR INVOICE WITH CERTAIN INFORMATION INDICATING THE SOURCE OF THE MERCHANT'S PRODUCTS AND TO SHOW THE RECEIPT OR INVOICE TO A LAW ENFORCEMENT OFFICER UPON REQUEST IS PRIMA FACIE EVIDENCE THAT THE PRODUCTS ARE STOLEN AND TO MAKE OTHER CHANGES.

Representative Neely calls the previous question on the passage of the bill and the call is sustained by electronic vote (68-36).

The bill passes its second reading by electronic vote (66-38).

Representative Ellis objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 682,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF STANDBY GUARDIANS, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Wood and without objection, House Committee Substitute for **S.B. 858,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING CONTRACTS FOR SCHOOL ADMINISTRATORS, is withdrawn from the Calendar and placed on the Calendar of June 20.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 320,** A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM CUSTODIAL TRUST ACT AND TO MAKE CONFORMING AMENDMENTS TO THE POWER OF ATTORNEY STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading by electronic vote (105-0).

Representative Daughtry objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 701, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STATE BOARD OF EDUCATION FROM ADOPTING OR ENFORCING ANY RULE THAT REQUIRES ALGEBRA I AS A GRADUATION STANDARD OR AS A REQUIREMENT FOR A HIGH SCHOOL DIPLOMA FOR STUDENTS WHO ARE IDENTIFIED AS LEARNING DISABLED IN THE AREA OF MATHEMATICS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO SUSPEND THE APPLICATION OF THIS RULE TO THESE STUDENTS, passes its second reading by electronic vote (102-5).

Representative Mitchell objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Daughtry and without objection, **S.B. 320,** A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM CUSTODIAL TRUST ACT AND TO MAKE CONFORMING AMENDMENTS TO THE POWER OF ATTORNEY STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is withdrawn from the Calendar and placed on the Calendar of June 21.

MOTION TO RECALL BILL FROM ENROLLING

Representative Neely moves to recall Senate Committee Substitute for

H.B. 851, A BILL TO BE ENTITLED AN ACT TO CHANGE SOME PROCEDURES WITH REGARD TO SURETY BONDS, from Enrolling.

Representative Lemmond inquires of the Chair if the motion to recall the bill is in order. The Chair rules that it is.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (57-48).

The motion to recall fails by electronic vote (41-62).

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 57,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL AND TO MAKE OTHER CHANGES IN THE ABC LAWS.

Representative R. Hunter inquires of the Chair if, pursuant to Rule 24.1B, Amendment No. 1 may be divided. The Speaker rules that it may.

On motion of Representative R. Hunter, Amendment No. 1 is divided into parts A and B.

Amendment 1A fails of adoption by electronic vote (38-53).

Amendment 1B is adopted by electronic vote (99-2).

Representative Hill offers Amendment No. 2 which is adopted by electronic vote (84-19).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (70-35).

The bill, as amended, fails to pass its second reading by electronic vote (48-56).

CONFERENCE REPORT

Representative Wood sends forth the Conference Report on Senate Committee Substitute for **H.B. 330,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM, THE CITY OF GASTONIA, AND THE CITY OF FAYETTEVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 19.

CONFEREES APPOINTED

On June 12, 1995, the House failed to concur in Senate Committee Substitute for **H.B. 955,** A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL. The Speaker appoints Representatives Wood, Eddins, and McMahan as conferees on the part of the House.

The Senate is so notified by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative G. Robinson for the Committee on Business and Labor:

H.B. 443, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL REAL ESTATE APPRAISERS TO BE LICENSED AND TO PROVIDE FOR THE REGISTRATION OF TRAINEE REAL ESTATE APPRAISERS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

S.B. 308, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING MEDICAID FRAUD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 19.

S.B. 325, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DISTRICT ATTORNEY'S DESIGNEE OR A SPECIAL PROSECUTOR TO REQUEST THAT AN INVESTIGATIVE GRAND JURY BE CONVENED TO CONSIDER CERTAIN ALLEGED VIOLATIONS OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 597, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT WHO IS CONVICTED OF A DRUG TRAFFICKING CONSPIRACY IS NOT ELIGIBLE FOR INTERMEDIATE SANCTIONS UNDER THE STRUCTURED SENTENCING ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Berry and Howard for the Committee on Welfare Reform and Human Resources:

S.B. 423, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE VOCATIONAL REHABILITATION/INDEPENDENT LIVING PROGRAM FOR PEOPLE WITH DISABILITIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 541, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REVIEW OF THE DIRECTOR OF SOCIAL SERVICES' DECISIONS NOT TO FILE ABUSE, NEGLECT, OR DEPENDENCY PETITIONS AND TO MAKE CLARIFYING CHANGES TO THE LAW GOVERNING INVESTIGATIONS OF REPORTS OF ABUSE, NEGLECT, AND DEPENDENCY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Daughtry for the Committee on Judiciary I:

Committee Substitute for **S.B. 590,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING

CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Daughtry, Committee Amendment No. 1 is adopted by electronic vote (90-3). This amendment changes the title.

The bill, as amended, is re-referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 632, A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAW, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 19.

S.B. 651, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PERMANENT IDENTIFICATION OF A DEAD BODY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 19.

By Representative Dockham for the Committee on Insurance:

House Committee Substitute for **S.B. 345,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Hayes and Gardner for the Permanent Subcommittee on Human Resources of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 479,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO ELECT THE OPTIONAL AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) FRAUD CONTROL PROGRAM AND TO PROVIDE FOR INCENTIVES AND AUTOMATION

FOR AFDC FRAUD COLLECTION, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

RE-REFERRALS

On motion of Representative Holmes, the following are withdrawn from the Committee on Appropriations, Subcommittee on General Government and re-referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources:

H.B. 320, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS OF THE ROLLINS ANIMAL DISEASE DIAGNOSTIC LABORATORY;

H.B. 321, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR INTERNATIONAL AGRICULTURAL MARKETING;

H.B. 322, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR A GRAIN GRADING TRAINING PROGRAM;

H.B. 323, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANSION OF MYCOPLASMA AND BACTERIOLOGY SERVICES;

H.B. 324, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR MEAT AND POULTRY INSPECTION;

H.B. 355, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANSION AND IMPROVEMENT OF THE DEPARTMENT'S IRRIGATION WATER ANALYSIS AND ADVISORY SERVICE;

H.B. 356, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANDING THE ANIMAL WASTE MANAGEMENT ADVISORY SERVICES;

H.B. 384, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS FOR THE BIOLOGICAL PEST CONTROL PROGRAM WITHIN THE DEPARTMENT OF AGRICULTURE;

H.B. 395, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF LABOR FOR CRITICALLY NEEDED STAFF AND EQUIPMENT;

H.B. 414, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR THE PROTECTION OF THE HONEY BEE AND HONEY INDUSTRY;

H.B. 426, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS AT THE FARMERS MARKET IN RALEIGH;

H.B. 433, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF LABOR FOR EXPANSION OF THE APPRENTICESHIP PROGRAM;

H.B. 482, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS AT THE WESTERN NORTH CAROLINA FARMERS MARKET;

H.B. 483, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR OPERATION OF THE WESTERN NORTH CAROLINA FARMERS MARKET;

H.B. 484, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR A NEW WHOLESALE BUILDING AT THE WESTERN NORTH CAROLINA FARMERS MARKET;

H.B. 547, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF A SOUTHEASTERN FARMERS' MARKET AND EQUESTRIAN/AGRICULTURAL CENTER;

H.B. 551, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A GRASSROOTS SCIENCE MUSEUM PROGRAM BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION;

H.B. 1046, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR CAPITAL PROJECTS AND OTHER EXPENSES OF THE INDUSTRIAL COMMISSION; and

H.B. 1047, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE TO EXPAND THE STAFF OF THE INDUSTRIAL COMMISSION.

On motion of Representative Holmes, the following are withdrawn from the Committee on Appropriations, Subcommittee on General Government and re-referred to the Committee on Appropriations, Subcommittee on Education:

H.B. 794, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FORESTRY GENETICIST POSITION AT NORTH CAROLINA STATE UNIVERSITY, COLLEGE OF FOREST RESOURCES; and

H.B. 1011, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TURFGRASS PROGRAM AT NORTH CAROLINA STATE UNIVERSITY.

On motion of Representative Holmes, the following are withdrawn from the Committee on Appropriations, Subcommittee on Education and re-referred to the Committee on Appropriations, Subcommittee on Human Resources:

H.B. 234, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SUPPLEMENTS FOR TEACHERS IN FACILITIES OPERATED BY THE DIVISION OF YOUTH SERVICES; and

H.B. 363, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMPLETION OF THE STUDENT ACTIVITY CENTER AT THE EASTERN SCHOOL FOR THE DEAF.

On motion of Representative Holmes, **H.B. 512,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY COLLEGE STUDENTS ENROLLED IN HEALTH PROGRAMS ARE SUBJECT TO THE SAME IMMUNIZATION REQUIREMENTS AS FOR OTHER COLLEGE AND UNIVERSITY STUDENTS, is withdrawn from the Committee on Appropriations, Subcommittee on Education and re-referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

On motion of Representative Holmes, **H.B. 700,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA ALCOHOLISM RESEARCH AUTHORITY, is withdrawn from the Committee on Appropriations, Subcommittee on Human Resources and re-referred to the Committee on Appropriations, Subcommittee on Education.

On motion of Representative Holmes, **H.B. 996,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF SUMMIT HOUSE SERVICES, is withdrawn from the Committee on Appropriations, Subcommittee on Human Resources and re-referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

On motion of Representative Holmes, **H.B. 417,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AREA ADVOCACY CENTERS OF THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES, is withdrawn from the Committee on Appropriations, Subcommittee on Human Resources and re-referred to the Committee on Appropriations, Subcommittee on General Government.

On motion of Representative Holmes, **H.B. 297,** A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR SUBSTANCE ABUSE SERVICES FOR JUVENILES UNDER SUPERVISION OF THE COURT, is withdrawn from the Committee on Appropriations, Subcommittee on Justice and Public Safety and re-referred to the Committee on Appropriations, Subcommittee on Human Resources.

On motion of Representative Holmes, **H.B. 105,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND AND THE MONTHLY MEMBER CONTRIBUTION AND TO DECLARE THE INTENT OF THE LEGISLATURE TO PROVIDE COST-OF-LIVING INCREASES, AS FUNDS ARE AVAILABLE, AND TO UPDATE THE REFERENCE TO THE NORTH CAROLINA ASSOCIATION OF RESCUE AND EMERGENCY MEDICAL SERVICES, INC., is withdrawn from the Committee on Appropriations, Subcommittee on Education and re-referred to the Committee on Appropriations.

On motion of Representative Morgan, **S.B. 402,** A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE DOMESTIC VIOLENCE LAW BY REQUIRING DOMESTIC VIOLENCE ORDER TO BE

ACCESSIBLE BY COMPUTER, TO ALLOW THE JUDGE ISSUING THE ORDER TO REQUIRE SEIZURE OF FIREARMS AND PROHIBIT POSSESSION OF FIREARMS, AND MAKE IT A CLASS H FELONY FOR ANY PERSON SUBJECT TO A DOMESTIC VIOLENCE ORDER TO PURCHASE OR POSSESS ANY FIREARM, is withdrawn from the Committee on Ways and Means and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Morgan moves, seconded by Representative Esposito, that the House adjourn, subject to notices and announcements, to reconvene Monday, June 19, 1995, at 7:00 p.m. The motion carries by electronic vote (87-10).

The House stands adjourned at 4:23 p.m.

EIGHTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, June 19, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, it's a little difficult sometimes to pray on Monday night. We are coming off an eventful weekend, and it is a bit of a challenge to get refocused. In fact, I feel somewhat like a Dad who has told the kids that it is time to cut off the T.V. and do their homework. Father, we all know that there is still a lot of work to be done, and we know that we need Your help to get it accomplished. And so, we do pause to hallow Your name, the God of Abraham, Isaac, and Jacob. The great 'I Am' of the burning bush. The Wonderful Counselor, the Mighty God, the Everlasting Father, the Prince of Peace. We worship You, we confess our sins, and we seek Your forgiveness, help, and guidance. Father, we hope that You were honored this weekend and that folks gathered to say 'thank You' for all You have done for them. We do thank You, Lord, and as we move into this 'crunch time' once again, please help us with the remaining bills, and may we not embarrass You by anything that we pass into law. 'The woods are cool and dark and deep, but we have

promises to keep, and miles to go before we sleep, and miles to go before we sleep.' Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 15 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (98-0).

Leaves of absence are granted Representatives Carpenter, R. Hunter, Miner, Redwine, Sutton, Thompson, Wainwright, and C. Wilson for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 20, AN ACT TO AMEND THE SCHOOL IMPROVEMENT AND ACCOUNTABILITY ACT OF 1989. (CHAPTER 272)

S.B. 708, AN ACT REGARDING THE PROCEDURE FOR LETTING PUBLIC CONTRACTS BY THE CITY OF CHARLOTTE AND TO PROHIBIT THE UNAUTHORIZED REMOVAL OR DESTRUCTION OF CAMPAIGN SIGNS IN MECKLENBURG COUNTY. (CHAPTER 273)

S.B. 999, AN ACT TO INCREASE THE COST LIMIT ON WORK THAT CAN BE PERFORMED BY GOVERNMENTAL FORCE ACCOUNT LABOR. (CHAPTER 274)

H.B. 265, AN ACT TO ALLOW SERVICE OF PROCESS BY A PRIVATE PROCESS SERVER WHEN A PROPER OFFICER RETURNS SERVICE OF PROCESS UNEXECUTED. (CHAPTER 275)

H.B. 336, AN ACT TO ALLOW TRAINERS OF ASSISTANCE DOGS TO BE ACCOMPANIED BY AN ASSISTANCE DOG DURING TRAINING SESSIONS WHEN USING PLACES OF PUBLIC ACCOMMODATION OR COMMON CARRIERS. (CHAPTER 276)

H.B. 350, AN ACT TO REQUIRE THE REQUESTING AGENCY TO COMPENSATE THE INTERPRETERS FOR THE DEAF IN CERTAIN JUDICIAL, LEGISLATIVE, AND ADMINISTRATIVE PROCEEDINGS.

(CHAPTER 277)

H.B. 448, AN ACT TO PROVIDE THAT ELIGIBILITY FOR COVERAGE OF CERTAIN EMPLOYEES UNDER THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN IS BASED UPON RETIREMENT MEMBERSHIP SERVICE, WHICH MAY BE EARNED AFTER THE DISABILITY BEGAN. (CHAPTER 278)

H.B. 663, AN ACT TO ESTABLISH A SEASON FOR TRAPPING FOXES IN HALIFAX COUNTY. (CHAPTER 279)

H.B. 756, AN ACT TO AID IN ENSURING THAT RESIDENTS IN DOMICILIARY CARE HOMES ARE IN SAFE AND WELL-MANAGED FACILITIES. (CHAPTER 280)

S.B. 287, AN ACT TO CREATE OFFENSES OF STATUTORY RAPE AND STATUTORY SEXUAL OFFENSE AGAINST VICTIMS WHO ARE THIRTEEN, FOURTEEN, OR FIFTEEN YEARS OLD. (CHAPTER 281)

S.B. 714, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM RELATING TO NOTIFICATION REQUIREMENTS FOR REZONING ANNEXED PROPERTY. (CHAPTER 282)

H.B. 328, AN ACT TO INCREASE THE PENALTIES FOR FAILURE TO GIVE WAY TO AN OVERTAKING VEHICLE. (CHAPTER 283)

H.B. 340, AN ACT TO PROVIDE THAT AN INDIVIDUAL WHO IS UNABLE TO PASS A CONTROLLED SUBSTANCE EXAMINATION IS INELIGIBLE FOR UNEMPLOYMENT BENEFITS UNDER CERTAIN CIRCUMSTANCES. (CHAPTER 284)

H.B. 912, AN ACT TO AMEND ARTICLE 11 OF (CHAPTER 130A) OF THE GENERAL STATUTES REGARDING WASTEWATER SYSTEMS. (CHAPTER 285)

H.B. 593, AN ACT TO INCORPORATE THE TOWN OF BOGUE AND CONCERNING THE TOWN OF CHADWICK ACRES. (CHAPTER 286)

H.B. 739, AN ACT TO SIMPLIFY THE TRANSFER OF CREDIT BETWEEN NORTH CAROLINA INSTITUTIONS OF HIGHER

EDUCATION. (CHAPTER 287)

H.B. 740, AN ACT TO FACILITATE THE TRANSFER OF ACADEMIC CREDIT FROM COMMUNITY COLLEGE PROGRAMS TO FOUR-YEAR COLLEGE PROGRAMS. (CHAPTER 288)

H.B. 767, AN ACT ENCOURAGING THE STATE BOARD OF EDUCATION TO MAKE AVAILABLE INFORMATION ON GUN SAFETY PROGRAMS FOR THE STATE'S ELEMENTARY SCHOOLS. (CHAPTER 289)

H.B. 851, AN ACT TO CHANGE SOME PROCEDURES WITH REGARD TO SURETY BONDS. (CHAPTER 290)

H.B. 907, AN ACT TO AUTHORIZE THE STATE AND ITS POLITICAL SUBDIVISIONS TO BE SUBJECT TO STATUTES OF LIMITATION AND REPOSE FOR CERTAIN CIVIL ACTIONS. (CHAPTER 291)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Daughtry for the Committee on Judiciary I:

S.B. 558, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EXPEDITED EVICTION OF PERSONS ENGAGED IN DRUG-RELATED CRIMINAL ACTIVITY AND OTHER CRIMINAL ACTIVITY THAT THREATENS THE HEALTH, SAFETY, OR PEACEFUL ENJOYMENT OF RENTAL PROPERTY, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 865, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE LAWS REGARDING THE PURCHASE OF A HANDGUN TO CONFORM TO THE REQUIREMENTS OF THE "BRADY HANDGUN VIOLENCE PREVENTION ACT", with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

S.B. 783, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FORFEITURE OF PROPERTY OWNED BY PERSONS PARTICIPATING IN NUISANCES ON THE PROPERTY INVOLVING THE SALE OR USE OF NARCOTIC DRUGS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 896, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE INVESTIGATIVE CAPABILITIES OF LAW ENFORCEMENT IN CASES OF DRUG TRAFFICKING AND OTHER SERIOUS CRIMES BY PERMITTING THE USE OF ELECTRONIC SURVEILLANCE IN LIMITED CIRCUMSTANCES, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 1014,** A BILL TO BE ENTITLED AN ACT REQUIRING CRIMINAL HISTORY RECORD CHECKS OF UNLICENSED APPLICANTS FOR EMPLOYMENT IN NURSING HOMES AND DOMICILIARY HOMES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Justus for the Permanent Subcommittee on Justice and Public Safety:

Committee Substitute for **H.B. 4,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE PRISON POPULATION CAP, TO RAISE THE LIMIT ON PRISON CAPACITY, TO AUTHORIZE THE PAROLE OF

NONVIOLENT INMATES, TO AUTHORIZE CERTAIN CONTRACTS FOR THE HOUSING OF STATE PRISONERS IN LOCAL CONFINEMENT FACILITIES, TO ALLOW FOR THE CONTRACTING OF PRIVATE PRISONS, TO REMOVE THE LIMIT ON PRISONERS WHO MAY BE HOUSED IN NON-STATE OWNED FACILITIES, TO REMOVE THE SUNSET ON CONTRACTS WITH OUT-OF-STATE PUBLIC CORRECTIONAL FACILITIES, AND TO ALLOW THE DEPARTMENT TO USE AVAILABLE FUNDS TO PROVIDE ADDITIONAL PRISON BEDS AND EMPLOY NECESSARY STAFF, reported to the Standing Committee on Appropriations, with a favorable recommendation as to proposed Committee Substitute Bill No. 2, unfavorable as to committee substitute bill.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

H.B. 502, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO LEVY AN ADDITIONAL SALES AND USE TAX OF ONE PERCENT, IF APPROVED BY THE VOTERS OF THE COUNTY, FOR PUBLIC SCHOOL CONSTRUCTION, reported without prejudice as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 694,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRIVATE SERVICE OF PROCESS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 913, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRELITIGATION MEDIATION OF FARM DISPUTES REGARDING NUISANCE CLAIMS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 339, A BILL TO BE ENTITLED AN ACT TO GRANT ADDED POWERS TO THE STANLY AIRPORT AUTHORITY RELATED TO CONSTRUCTING AN INDUSTRIAL PARK, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 270,** A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAWS PERTAINING TO ALIMONY, is returned for concurrence in Senate Amendment Nos. 1, 2, and 4 and placed on the Calendar for June 20.

Senate Committee Substitute for **H.B. 337,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTROLLED ACCESS COMMUNITY FISHING LICENSES IN TRANSYLVANIA COUNTY, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 20.

Senate Committee Substitute for **H.B. 645,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY AND THE POSSESSION OF ALCOHOLIC BEVERAGES ON PUBLIC STREETS, ALLEYS, OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 20.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 798,** A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN REQUIREMENTS PERTAINING TO MATERIALS USED IN CONJUNCTION WITH FOOD CONSUMPTION, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 20.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative Morgan and without objection, Committee Substitute for **S.B. 563,** A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND TO CLARIFY THE ZONING JURISDICTION OF THE TOWN OF HUNTERSVILLE, is withdrawn from the Committee on Ways and Means and returned to the Senate for further consideration, pursuant to a message received from the Senate on June 12, 1995.

CONFEREES APPOINTED

On June 12, 1995, the House failed to concur in Senate Committee Substitute for **H.B. 6,** A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, AND TO MAKE CONFORMING STATUTORY CHANGES. The Speaker appoints Representatives Preston, Chair; Dockham, and Gray as conferees on the part of the House.

The Senate is so notified by Special Message.

VOTE RECONSIDERED

Representative Brawley, having voted with the prevailing side, moves that the vote by which Committee Substitute for **S.B. 57,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL AND TO MAKE OTHER CHANGES IN THE ABC LAWS, failed to pass its second reading be reconsidered.

The motion carries by electronic vote (55-50).

On motion of Representative Morgan and without objection, Committee Substitute for **S.B. 57** is withdrawn from the Calendar, ordered engrossed, and re-referred to the Committee on Judiciary II.

CALENDAR

Action is taken on the following:

CONFIRMATION OF STATE PERSONNEL COMMISSION

On motion of Representative Sherrill, the House confirms the appointment of Mr. Allen Wellons as a member of the State Personnel Commission by electronic vote (104-5).

On motion of Representative Sherrill, the House confirms the appointment of Mr. George Allison as a member of the State Personnel Commission by electronic vote (102-6).

The Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Womble moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 330

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on **H.B. 330,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM AND THE CITY OF GASTONIA TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME, Senate Local Government and Regional Affairs Committee Substitute Adopted 4/13/95, submit the following report:

The House and Senate agree to the following amendments to the Senate Committee Substitute, Senate Local Government and Regional Affairs Committee Substitute Adopted 4/13/95 and the House concurs in the Senate Committee Substitute as amended:

on page 1, lines 2 and 3,
by rewriting those lines to read:

"AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM, THE CITY OF GASTONIA, AND THE CITY OF FAYETTEVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE"; and

on page 1, line 19, by deleting "Board of Aldermen" and substituting "City Council"; and

on page 2, between lines 34 and 35, by adding the following:

"Sec. 4.1. The City Council of the City of Fayetteville may, by ordinance, require that each owner of rental property within the city authorize a person residing in Cumberland County to serve as the owner's agent for the purpose of accepting service of process in an action involving a violation of an ordinance adopted under Parts 5 or 6 of Article 19 of Chapter 160A of the General Statutes. The owner shall provide on a form supplied by the Housing Services Department, the authorized agent's name, address, and phone number, and shall notify the Housing Services Department of any changes in the information provided not less than 10 days after such changes occur. Nothing in this section shall require an owner to designate an agent to accept service of process where the owner of the rental property resides within Cumberland County."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 14, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Charlie S. Dannelly	S/ W.W. "Dub" Dickson
S/ Hamilton C. Horton, Jr.	S/ Michael Decker
S/ David W. Hoyle	S/ J.W. Hurley

The conference report, which changes the title, is adopted, by electronic vote (109-0), and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 127,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES.

On motion of Representative Shubert, the House concurs in the Senate committee substitute, by electronic vote (100-10), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 730,** A BILL TO BE ENTITLED AN ACT TO PREVENT FRIVOLOUS MEDICAL MALPRACTICE ACTIONS BY REQUIRING THAT EXPERT WITNESSES IN MEDICAL MALPRACTICE CASES HAVE APPROPRIATE QUALIFICATIONS TO TESTIFY ON THE STANDARD OF CARE AT ISSUE AND TO REQUIRE EXPERT WITNESS REVIEW AS A CONDITION OF FILING A MEDICAL MALPRACTICE ACTION.

On motion of Representative Neely, the House concurs in the Senate committee substitute, by electronic vote (96-12), and the bill is ordered enrolled.

BILL RE-CALENDARED

On motion of the Chair, House Committee Substitute for **S.J.R. 1096,** A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARY FRANCES POWELL SEYMOUR, FORMER MEMBER OF THE GENERAL ASSEMBLY, which is on today's Calendar pursuant to Rule 36(a), is moved up on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 537,** A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge,

Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representative K. Miller.

Excused absences: Representatives Carpenter, R. Hunter, Redwine, Sutton, Thompson, Wainwright, and C. Wilson - 7.

Committee Substitute for **S.B. 543,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SWORN AND CERTIFIED JAILERS AND TELECOMMUNICATORS EMPLOYED BY THE CATAWBA COUNTY SHERIFF'S DEPARTMENT ARE ELIGIBLE TO RECEIVE THE BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 568, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DAVIE COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE ON THE FIRST MONDAY IN JULY FOLLOWING THEIR ELECTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 859,** A BILL TO BE ENTITLED AN ACT TO REVISE THE SOLID WASTE MANAGEMENT ACT OF 1989 AND RELATED STATUTES.

Representative Hayes offers Amendment No. 1 which is adopted by electronic vote (108-2).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baker, Barbee, Berry, Black, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, Ives, Justus, Kiser, Lemmond, Linney, Locke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, and Wright - 89.

Voting in the negative: Representatives Alexander, Barnes, Beall, Blue, Boyd-McIntyre, Braswell, Cocklereece, Cunningham, Earle, Fitch, Gamble, Hackney, Hightower, Hurley, Lee, Luebke, McAllister, Michaux, G. Miller, Richardson, Shaw, and Yongue - 22.

Excused absences: Representatives Carpenter, R. Hunter, Redwine, Sutton, Thompson, Wainwright, and C. Wilson - 7.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 585,** A BILL TO BE ENTITLED AN ACT TO MAKE FAILURE TO DISCLOSE THAT THE AIR BAGS HAVE NOT BEEN REPLACED ON A MOTOR VEHICLE A MISDEMEANOR, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill,

Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Representatives Blue, Gamble, and Linney - 3.

Excused absences: Representatives Carpenter, R. Hunter, Redwine, Sutton, Thompson, Wainwright, and C. Wilson - 7.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Russell and without objection, **S.B. 701,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STATE BOARD OF EDUCATION FROM ADOPTING OR ENFORCING ANY RULE THAT REQUIRES ALGEBRA I AS A GRADUATION STANDARD OR AS A REQUIREMENT FOR A HIGH SCHOOL DIPLOMA FOR STUDENTS WHO ARE IDENTIFIED AS LEARNING DISABLED IN THE AREA OF MATHEMATICS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO SUSPEND THE APPLICATION OF THIS RULE TO THESE STUDENTS, is withdrawn from the Calendar and placed on the Calendar of June 22.

CALENDAR (continued)

House Committee Substitute for **S.B. 987,** A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSE OF CONTINUING CRIMINAL ENTERPRISE WITH REGARD TO CRIMINAL OFFENSES THAT ARE NOT DRUG OFFENSES, TO PROVIDE THAT FAILURE OF AN ITINERANT MERCHANT TO KEEP A RECEIPT OR INVOICE WITH CERTAIN INFORMATION INDICATING THE SOURCE OF THE MERCHANT'S PRODUCTS AND TO SHOW THE RECEIPT OR INVOICE TO A LAW ENFORCEMENT OFFICER UPON REQUEST IS PRIMA FACIE EVIDENCE THAT THE PRODUCTS ARE STOLEN AND TO MAKE OTHER CHANGES.

Representative Neely offers Amendment No. 1 which is adopted by electronic vote (104-0).

Representative Shubert offers Amendment No. 2 which is adopted by electronic vote (71-40).

Representative Ellis offers Amendment No. 3.

On motion of Representative Morgan and without objection, the bill, as amended, and pending Amendment No. 3 are withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.J.R. 1056,** A JOINT RESOLUTION HONORING THE MEMORY OF CHIANG, CHING-KUO, LATE PRESIDENT OF THE REPUBLIC OF CHINA ON TAIWAN, AND SUPPORTING THE REPUBLIC OF CHINA ON TAIWAN'S PARTICIPATION IN THE UNITED NATIONS AND OTHER INTERNATIONAL FORUMS SUCH AS MULTILATERAL TRADE ASSOCIATIONS AND HUMANITARIAN RELIEF ORGANIZATIONS, passes its second reading, by electronic vote (99-1), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 1078,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE INSTRUCTION IN CHARACTER EDUCATION, passes its second reading, by electronic vote (101-7), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 331,** A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED TOLERANCE FOR EXISTING TRUCK WEIGHTS.

Representative McComas requests that he be excused from voting on this bill under Rule 24.1A, due to a conflict of interest, and this request is granted.

Representative Luebke inquires of the Chair, if the bill should be re-referred to the Committee on Finance, under Rule 38(b). The Chair rules that it should not.

Representative McLaughlin offers Amendment No. 1.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (84-25).

Amendment No. 1 fails of adoption by electronic vote (35-72).

Representative G. Robinson calls the previous question on the passage of the bill and the call is sustained by electronic vote (74-34).

The bill passes its second reading by electronic vote (88-21).

Representative G. Robinson objects to the third reading. The bill remains on the Calendar.

INTRODUCTION OF PAGES

Pages for the week of June 19-22 are introduced to the membership. They are: Aaron Berns of Franklin; Toya Brown of Edgecombe; Bill Browning of Brunswick; Michael Butler of Buncombe; Ragan Carpenter of Beaufort; Georgianna Chandler of Columbus; Kathryn Copeland of Lenoir; Michelle Decker of Forsyth; Kevin Eddins of Wake; Jennifer Eddins of Wake; Tamara Garland of Avery; Jamie Grimes of Davidson; Victoria Hightower of Anson; Jeffrey Hinnant of Johnston; Jotiva Hobbs of Wayne; Nisha Jenkins of Edgecombe; Marie Marshall of Cumberland; Jeremy McCargo of Rockingham; Dawn Newkirk of Forsyth; Olivia Ogburn of Johnston; Courtney Rollins of Cumberland; Sheron Rollins of Cumberland; Caroline Samuels of Davidson; Ellen Scarff of Sampson; Gregory Shealy, Jr. of Buncombe; Rebecca Smith of Forsyth; Julie Thomas of Chatham; Alexis Vaught of Brunswick; Sarah Ward of Chowan; Leigh Anne Weatherly of Guilford; Ryan Wilson of Forsyth; and Kelly Yates of Carteret.

On motion of Representative Morgan, seconded by Representative Eddins, the House adjourns at 9:25 p.m. to reconvene June 20 at 1:30 p.m.

EIGHTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 20, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our loving heavenly Father, the sky drips gray as I sit writing this prayer. The staccato sound patterns on the roof are almost hypnotic. I feel a sense of melancholy, almost of loneliness. Perhaps I'm thinking too much of the history of 'man's inhumanity to man'. And, each of us is a miniature universe experiencing personally, in emotion or reality, what mankind experiences as a whole. And, makers of law, the tracks upon which the engine of society is to run. What an awesome task this governing, to what far unseen purpose is my life entwined? What are these pressures that urge me so? What is this that cries out in importance today? Then, like mist in the morning, or the flower of the grass, I am gone. Oh, Father, let me be true to myself and to You. Let my life count in the cause of fairness, truth, mercy, and right. When the world becomes totally worn out like a tattered garment, and the firmament is rolled up like a scroll, let there be something left of me besides a molded journal and a long dead echo. Please help me to turn fear into faith, despair into hope, and hatred into love. By the way, Father, I just looked up and I believe that the sun is beginning to shine. Thank You, Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 19 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (99-0).

Leaves of absence are granted Representatives Church, Thompson, and Wainwright for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 459, AN ACT TO PROVIDE FOR THE CANCELLATION OF A NOTE OR OTHER INDEBTEDNESS SECURED BY A DEED OF TRUST OR MORTGAGE BY EXECUTION OF A CERTIFICATE OF SATISFACTION. (CHAPTER 292)

S.B. 51, AN ACT TO REQUIRE A ONE-YEAR SUSPENSION FOR ANY STUDENT WHO BRINGS CERTAIN WEAPONS ONTO SCHOOL PROPERTY AND TO ALLOW THE SUPERINTENDENT TO MODIFY THE SUSPENSION FOR CHILDREN WITH SPECIAL NEEDS OR BY PROVIDING AN ALTERNATIVE SCHOOL SETTING. (CHAPTER 293)

S.B. 244, AN ACT TO PROVIDE FOR THE SUMMARY ADMINISTRATION OF AN ESTATE WHERE A SURVIVING SPOUSE IS THE SOLE BENEFICIARY OF THE ESTATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 294)

S.B. 1042, AN ACT TO MAKE VARIOUS AMENDMENTS REGARDING GUARANTEED ENERGY SAVINGS CONTRACTS IN ORDER TO ENHANCE THE VIABILITY OF GUARANTEED ENERGY SAVINGS CONTRACTS BY LOCAL GOVERNMENTAL UNITS AND TO REPEAL THE SUNSET FOR LOCAL GOVERNMENTAL UNITS TO ENTER INTO THESE CONTRACTS. (CHAPTER 295)

S.B. 1086, AN ACT TO ALLOW BANKS TO MAKE LOANS SECURED BY SHARES OF ITS OWN STOCK OR THAT OF ITS PARENT HOLDING COMPANY UNDER CERTAIN CIRCUMSTANCES. (CHAPTER 296)

H.B. 227, AN ACT TO CODIFY THE CREATION BY THE 1983 GENERAL ASSEMBLY OF THE INSTITUTE OF MEDICINE. (CHAPTER 297)

H.B. 378, AN ACT TO RESOLVE POSSIBLE CONFLICT IN LAWS REGARDING TEMPORARY MANAGEMENT OF LONG-TERM CARE FACILITIES AND STATE/COUNTY SPECIAL ASSISTANCE FOR ADULTS. (CHAPTER 298)

H.B. 386, AN ACT TO GIVE PRIORITY TO A LOCAL FORENSIC EXAMINATION OF A DEFENDANT WHOSE CAPACITY TO PROCEED TO TRIAL IS QUESTIONED BEFORE A STATE EVALUATION IS ORDERED AND TO MODIFY THE AUTHORITY OF THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND

SUBSTANCE ABUSE SERVICES TO RESTRICT THE RIGHTS OF CLIENTS AT THE PRETRIAL EVALUATION CENTER AT DOROTHEA DIX. (CHAPTER 299)

H.B. 469, AN ACT TO CHANGE THE MANNER OF ELECTION OF THE DAVIDSON COUNTY BOARD OF EDUCATION FROM NONPARTISAN ELECTION AT THE TIME OF THE PRIMARY TO NONPARTISAN ELECTION AT THE TIME OF THE GENERAL ELECTION. (CHAPTER 300)

H.B. 491, AN ACT TO PROVIDE FOR THE REEXAMINATION BY THE ENVIRONMENTAL MANAGEMENT COMMISSION OF THE CLASSIFICATION OF CERTAIN WATER SUPPLY WATERSHEDS THAT MEET THE STANDARDS OF MORE THAN ONE CLASSIFICATION AND TO RECLASSIFY THOSE WATERSHEDS ACCORDINGLY. (CHAPTER 301)

H.B. 575, AN ACT TO REMOVE THE TOWN OF KERNERSVILLE'S LOCAL MODIFICATIONS TO G.S. 58-84-35, FORMERLY G.S.118-7. (CHAPTER 302)

H.B. 676, AN ACT TO AUTHORIZE ESTABLISHMENT OF AN OUTER BANKS BEAUTIFICATION DISTRICT AND PROVIDE FOR THE LEVY AND COLLECTION OF PROPERTY TAXES IN THE DISTRICT, SUBJECT TO APPROVAL OF THE VOTERS OF THE DISTRICT. (CHAPTER 303)

H.B. 690, AN ACT TO AMEND (CHAPTER 1073) OF THE 1959 SESSION LAWS TO PROVIDE THAT THE SHERIFF ISSUE WEAPON PERMITS IN ASHE COUNTY. (CHAPTER 304)

H.B. 831, AN ACT TO ALLOW AREA MENTAL HEALTH AUTHORITIES TO USE STATE FUNDS FOR THE USE OF MORE TYPES OF FACILITIES AND FOR FACILITIES OPERATED BY GOVERNMENTAL ENTITIES. (CHAPTER 305)

S.B. 543, AN ACT TO PROVIDE THAT SWORN AND CERTIFIED JAILERS AND TELECOMMUNICATORS EMPLOYED BY THE CATAWBA COUNTY SHERIFF'S DEPARTMENT ARE ELIGIBLE TO RECEIVE THE BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM. (CHAPTER 306)

S.B. 568, AN ACT TO PROVIDE THAT THE DAVIE COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE ON THE FIRST MONDAY IN JULY FOLLOWING THEIR ELECTION. (CHAPTER 307)

H.B. 127, AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES. (CHAPTER 308)

H.B. 730, AN ACT TO PREVENT FRIVOLOUS MEDICAL MALPRACTICE ACTIONS BY REQUIRING THAT EXPERT WITNESSES IN MEDICAL MALPRACTICE CASES HAVE APPROPRIATE QUALIFICATIONS TO TESTIFY ON THE STANDARD OF CARE AT ISSUE AND TO REQUIRE EXPERT WITNESS REVIEW AS A CONDITION OF FILING A MEDICAL MALPRACTICE ACTION. (CHAPTER 309)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Daughtry for the Committee on Judiciary I:

Committee Substitute for **S.B. 242,** A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA NONPROFIT CORPORATION ACT AND TO MAKE A CONFORMING AMENDMENT TO THE BUSINESS CORPORATION ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 21.

Committee Substitute for **S.B. 243,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE POWER OF A PERSONAL REPRESENTATIVE TO SETTLE CLAIMS FOR WRONGFUL DEATH, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 21.

Committee Substitute for **S.B. 559,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACCEPTANCE OF RENT BY A HOUSING AUTHORITY IS NOT A WAIVER OF DEFAULT AND TO AUTHORIZE

HOUSING AUTHORITIES TO GOVERN ENTRY UPON HOUSING AUTHORITY PROPERTY BY GUESTS AND VISITORS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 21.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 656, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE RALEIGH CITY CHARTER, is returned for concurrence in Senate amendment and placed on the Calendar for June 21.

Upon concurrence, the Senate amendment changes the title.

Senate Committee Substitute for **H.B. 659,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN DUPLIN COUNTY, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 21.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 708,** A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ELECTRONICALLY MONITOR AND RECORD COMPLIANCE DATA OFF-SITE FROM SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES THAT USE HAZARDOUS WASTE AS A FUEL, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 21.

Upon concurrence, the Senate committee substitute changes the title.

GUESTS

The Speaker extends the courtesies of the floor to Georgia State Senator Don Balfour.

CALENDAR

Action is taken on the following:

House Committee Substitute No. 2 for **S.B. 26,** A BILL TO BE ENTITLED AN ACT TO ENABLE LOCAL BOARDS OF EDUCATION TO EXPEL FROM SCHOOL THOSE STUDENTS WHOSE CONTINUED PRESENCE IN SCHOOL CONSTITUTES A CLEAR THREAT TO THE SAFETY OF OTHER STUDENTS OR EMPLOYEES.

On motion of Representative Russell, the bill is temporarily displaced.

S.B. 899, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN FINANCIAL INSTITUTIONS' RECORDS ARE CONFIDENTIAL.

Representative Edwards requests that he be excused from voting pursuant to Rule 24.1A because he is a bank director and owns bank stock. Representatives Blue, Locke, and Shubert request that they be excused from voting pursuant to Rule 24.1A. These requests are granted.

On motion of Representative Tallent and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 26.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representative McMahan for the Permanent Subcommittee on Community Colleges and Universities:

REPORT OF COMMUNITY COLLEGES AND UNIVERSITIES SUBCOMMITTEE

Pursuant to G.S. 115D-2.1(b)(4)f, the House Education Subcommittee on Community Colleges and Universities met on June 15, 1995, the majority of members being present, and submits the following nominees to be considered by the House of Representatives on June 20, 1995, for election to the State Board of Community Colleges for a six-year term, beginning July 1, 1995.

Mr. Thomas C. King, Jr.
Raleigh, North Carolina

Mr. Frederick E. Turnage
Rocky Mount, North Carolina

I certify that these nominees are legally qualified to serve and are willing to serve if elected.

S/ W. Edwin McMahan, Chair
EDUCATION/Subcommittee on
Community Colleges and
Universities

BOARD OF COMMUNITY COLLEGES ELECTION

The Speaker recognizes Representative McMahan, who explains the subcommittee report and the voting procedure to the Body.

Pursuant to Article VI, Sec. 5 of the North Carolina Constitution, the roll of the House is called.

Those voting for Thomas C. King, Jr. are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McMahan, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 70.

Those voting for Frederick E. Turnage are: Representatives Adams, Alexander, Barnes, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hunt, H. Hunter, R. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Shaw, Sutton, Tolson, Warner, Wilkins, Womble, Wright, and Yongue - 47.

Excused absences: Representatives Church, Thompson, and Wainwright - 3.

Thomas C. King, Jr. is elected for a six-year term, beginning July 1, 1995, to serve on the State Board of Community Colleges.

On motion of Representative McMahan, the election of Thomas C. King, Jr. is confirmed by electronic vote (85-22).

The Senate is so notified by Special Message.

RE-REFERRAL

On motion of Representative Nichols, **S.B. 855,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP PREFERRED PROVIDER ORGANIZATIONS, HEALTH MAINTENANCE ORGANIZATIONS, AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, is withdrawn from the Committee on Health and Environment and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 412,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW CONCERNING THE FEDERAL PREEMPTION OF STATE USURY LAWS AND TO RAISE THE MAXIMUM LATE PAYMENT CHARGE FOR REVOLVING CREDIT LOANS.

Representative Locke requests that he be excused from voting on this bill under Rule 24.1A because of a conflict of interest and this request is granted.

Representative Gamble inquires of the Chair if the bill is properly before the Body pursuant to the crossover deadline and Rule 31(d). The Speaker rules that (a) the bill is properly before the Body; (b) the rule speaks to House bills not Senate bills; and (c) the subjects of the bill are germane.

The bill passes its second reading by electronic vote (74-38).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 26,** A BILL TO BE ENTITLED AN ACT TO ENABLE LOCAL BOARDS OF EDUCATION TO

EXPEL FROM SCHOOL THOSE STUDENTS WHOSE CONTINUED PRESENCE IN SCHOOL CONSTITUTES A CLEAR THREAT TO THE SAFETY OF OTHER STUDENTS OR EMPLOYEES, which was temporarily displaced, is before the Body.

Representative Wright offers Amendment No. 1 which is adopted by electronic vote (97-11).

Representative Wright offers Amendment No. 2 which fails of adoption by electronic vote (50-64).

Representative Cunningham offers Amendment No. 3.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (89-18).

Amendment No. 3 is adopted by electronic vote (75-37).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (88-24).

The bill, as amended, passes its second reading by electronic vote (97-15).

Representative Wright objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 496, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL GOVERNMENTS TO FORGO COLLECTION OF AD VALOREM TAX BILLS WHEN THE ORIGINAL PRINCIPAL AMOUNT DUE IS UNDER FIVE DOLLARS.

On motion of Representative Arnold, Committee Amendment No. 1 is adopted by electronic vote (107-0).

The bill, as amended, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 308, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING MEDICAID FRAUD.

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 632, A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAW, passes its second reading, by electronic vote (104-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 651, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PERMANENT IDENTIFICATION OF A DEAD BODY, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Senate Committee Substitute for **H.B. 337,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTROLLED ACCESS COMMUNITY FISHING LICENSES IN TRANSYLVANIA COUNTY.

On motion of Representative Ives, the House concurs in the Senate committee substitute, by electronic vote (107-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 108,** A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIALIZED REGISTRATION PLATES FOR RETIRED CLERKS OF SUPERIOR COURT.

On motion of Representative J. Brown, the House concurs in material Senate Amendment No. 1 on its second roll call reading by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Baker, Barbee, Barnes, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Clary,

Cocklereece, Crawford, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Grady, Gray, Hackney, Hayes, Hiatt, Hightower, Hill, Hunt, R. Hunter, Ives, Justus, Kiser, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Wright - 93.

Voting in the negative: Representatives Arnold, Blue, Capps, Carpenter, Creech, Fitch, Hensley, Lee, Luebke, and G. Miller - 10.

Excused absences: Representatives Aldridge, Church, Hurley, Thompson, Wainwright, and Yongue - 6.

On motion of Representative J. Brown, the House concurs in material Senate Amendment No. 2, on its second roll call reading by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Ives, Justus, Kiser, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, and Wright - 104.

Voting in the negative: Representatives Berry, Creech, Hensley, Lee, and Luebke - 5.

Excused absences: Representatives Aldridge, Church, Hurley, Thompson, Wainwright, and Yongue - 6.

On motion of Representative J. Brown, the House concurs in Senate Amendment No. 3 by electronic vote (102-7).

The bill remains on the Calendar for third roll call reading for concurrence in Senate Amendment Nos. 1 and 2.

Committee Substitute for **H.B. 270,** A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAWS PERTAINING TO ALIMONY.

On motion of Representative Hackney, the House concurs in the Senate Amendment Nos. 1, 2, and 4, by electronic vote (100-7), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 645,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY AND THE POSSESSION OF ALCOHOLIC BEVERAGES ON PUBLIC STREETS, ALLEYS, OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS.

On motion of Representative Wright, the House does not concur in the Senate committee substitute, by electronic vote (97-9), and conferees are requested.

Senate Committee Substitute for **H.B. 798,** A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN REQUIREMENTS PERTAINING TO MATERIALS USED IN CONJUNCTION WITH FOOD CONSUMPTION.

On motion of Representative Culp, the House concurs in the Senate committee substitute, by electronic vote (101-6), and the bill is ordered enrolled.

Committee Substitute No. 2 for **H.B. 537,** A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowie,

Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Wright - 103.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Church, Hurley, Thompson, Wainwright, and Yongue - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 664, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF PLYMOUTH, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, and Wright - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Church, Hurley, Thompson,

Wainwright, and Yongue - 6.

Committee Substitute No. 2 for **H.B. 859,** A BILL TO BE ENTITLED AN ACT TO REVISE THE SOLID WASTE MANAGEMENT ACT OF 1989 AND RELATED STATUTES.

On motion of Representative Decker, Amendment No. 2 is adopted by electronic vote (89-19).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hill, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Wright - 100.

Voting in the negative: Representatives Alexander, Barnes, Blue, Cunningham, Fitch, Hackney, Hightower, Luebke, McMahan, Michaux, and Richardson - 11.

Excused absences: Representatives Church, Hurley, Thompson, Wainwright, and Yongue - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 308, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING MEDICAID FRAUD, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute No. 2 for **H.B. 585,** A BILL TO BE ENTITLED AN ACT TO MAKE FAILURE TO DISCLOSE THAT THE AIR BAGS HAVE NOT BEEN REPLACED ON A MOTOR VEHICLE A MISDEMEANOR, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Wright - 107.

Voting in the negative: Representatives Blue, Fitch, and Linney - 3.

Excused absences: Representatives Church, Hurley, Thompson, Wainwright, and Yongue - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 826,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF SOIL SCIENTISTS.

Representative Culp offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan,

Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Wright - 106.

Voting in the negative: Representative Blue.

Excused absences: Representatives Church, Hurley, Thompson, Wainwright, and Yongue - 5.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute No. 2 for **S.B. 332,** A BILL TO BE ENTITLED AN ACT TO ALLOW LENDERS TO COLLECT FEES, INTEREST, AND CHARGES FOR CERTAIN LOANS AND EXTENSIONS OF CREDIT IN AMOUNTS AGREED UPON BY THE PARTIES, WITH NO STATUTORY MAXIMUM LIMIT, AND TO AUTHORIZE COMPUTATION OF REBATES BY THE SIMPLE INTEREST METHOD ON CONTRACTS GOVERNED BY THE RETAIL INSTALLMENT SALES ACT, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

REPRESENTATIVE RUSSELL, SPEAKER PRO TEMPORE, PRESIDING.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 865,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BOARD OF LANDSCAPE ARCHITECTS TO CHARGE REASONABLE FEES FOR THE REGISTRATION EXAMINATION TO RECOVER ALL COSTS FOR THE EXAMINATION MATERIALS AND TO DELETE REFERENCES TO TEMPORARY PERMITS ISSUED BY THE BOARD, passes its second

reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, G. Robinson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Wright - 105.

Voting in the negative: Representatives Fitch and Linney - 2.

Excused absences: Representatives Church, Hurley, Thompson, Wainwright, and Yongue - 5.

House Committee Substitute for **S.B. 331,** A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED TOLERANCE FOR EXISTING TRUCK WEIGHTS.

Representative G. Robinson offers Amendment No. 2 which is adopted by electronic vote (103-1).

Representative Ellis states that his machine malfunctioned and requests that he be recorded as voting "aye". This request is granted. The adjusted vote total is (104-0).

Representative G. Robinson calls the previous question on the passage of the bill and the call is sustained by electronic vote (58-47).

The bill, as amended, passes its third reading, by electronic vote (79-27), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 479,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO ELECT THE OPTIONAL AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) FRAUD CONTROL PROGRAM AND TO PROVIDE FOR INCENTIVES AND AUTOMATION FOR AFDC FRAUD COLLECTION.

On motion of Representative Gardner, Committee Amendment No. 1 is adopted by electronic vote (106-0).

The bill, as amended, passes its second reading by electronic vote (108-0).

On motion of Representative Morgan and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 21.

Committee Substitute for **S.B. 342,** A BILL TO BE ENTITLED AN ACT TO IMPROVE INSURANCE COMPANY FINANCIAL MATTERS BY ADOPTING STANDARDS FOR ASSUMPTION REINSURANCE, MATERIAL TRANSACTIONS, AND PROPERTY AND CASUALTY INSURER CAPITAL, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

SPEAKER BRUBAKER PRESIDING.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 119,** A BILL TO BE ENTITLED AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS AND ARCHITECTS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER WITHOUT COMPENSATION, passes its second reading, by electronic vote (102-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Wood and without objection, House Committee Substitute for **S.B. 858,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING CONTRACTS FOR SCHOOL ADMINISTRATORS, is withdrawn from the Calendar and placed on the Calendar of June 22.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 166,** A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS OF LAW THAT REGULATE ATTORNEYS-AT-LAW.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted by electronic vote (100-9).

Representative Linney offers Amendment No. 2.

On motion of the Chair, the bill with pending amendment is temporarily displaced.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 20, 1995

Mr. Speaker:

Pursuant to G.S. 115D-2.1(b)(4)f., and **S.J.R. 945,** A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, it is ordered that a message be sent to your Honorable Body notifying you of the election by the Senate, of MR. JAMES J. WOODY, JR. of ROXBORO, NORTH CAROLINA for a six-year term beginning July 1, 1995, and expiring June 30, 2001.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 20, 1995

Mr. Speaker:

On **H.B. 330,** (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM, THE CITY OF GASTONIA, AND THE CITY OF FAYETTEVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 330** (Senate Committee Substitute), A BILL TO BE ENTITLED TO AUTHORIZE THE CITY OF WINSTON-SALEM AND THE CITY OF GASTONIA TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees, further changing the title to read **H.B. 330** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM, THE CITY OF GASTONIA, AND THE CITY OF FAYETTEVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 20, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 84,** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PLACE TIME LIMITS ON OPTIONS IN GROSS AND OTHER INTERESTS IN LAND, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, and requests conferees. The President Pro Tempore appoints:

Senator Hartsell
Senator Horton
Senator Gulley
Senator Plexico
Senator Ballance

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Culpepper, Neely, Cansler, and Kiser as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 20, 1995

Mr. Speaker:

Pursuant to your message received Tuesday, June 20, 1995 that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 6,** (Senate Committee Substitute) A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, AND TO MAKE CONFORMING STATUTORY

CHANGES, and requests conferees, the President Pro Tempore appoints:

Senator Winner, Chairman
Senator Cooper
Senator Simpson

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 20, 1995

Mr. Speaker:

Pursuant to your message that the House of Representatives having failed to concur in the Senate Committee Substitute bill to **H.B. 955,** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL, on June 13 and appointing conferees on June 19, the President Pro Tempore appoints:

Senator Gulley, Chairman
Senator Hartsell
Senator Plexico
Senator Winner

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CONFEREES APPOINTED

The Speaker announces the following conferees on Senate Committee Substitute for **H.B. 645,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY AND THE POSSESSION OF ALCOHOLIC BEVERAGES ON PUBLIC STREETS, ALLEYS, OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS: Representatives Wright, Chair; Neely, and G. Robinson.

The Senate is so notified by Special Message.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representative Allred for the Permanent Subcommittee on Economic Expansion and Growth of the Standing Committee on Business and Labor, with approval of standing committee chair for report to be made directly to the floor of the House:

S.B. 437, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET CONCERNING GOVERNMENT CONSTRUCTION CONTRACTS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

RE-REFERRAL

On motion of Representative Neely, pursuant to Rule 39.2 and without objection, **S.B. 815,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO VOTING PRECINCTS, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Appropriations.

On motion of Representative Morgan, seconded by Representative Sharpe, the House adjourns at 5:23 p.m. to reconvene June 21 at 1:30 p.m.

EIGHTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 21, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Father, we thank You for the Holy Scriptures, and for the life principles revealed therein. Not always easy to discern or to follow, but vital to life and relationships. Like, 'Faith is the substance of things hoped for, the evidence of things not seen', (Hebrews 11:1) and, 'we walk by faith not by sight'. (II Corinthians 5:7). 'Thou shalt not steal', pretty clear. 'Thou shalt not covet', takes a bit more discernment, like lust in the heart equals either murder or adultery. Our little six year old reached for a chicken leg, took a bite. It slipped from his little boy hand to the floor. He just reached down, picked it up and started to eat again. My nurse wife said, 'No, no, it has germs on it'. His appetite and restraint clashed. Frustration filled his flashing brown eyes as he said, 'Germs and Jesus, germs and Jesus, that's all I hear, and I ain't never seen neither one'. Wow, what a bombshell he dropped. Life stuff - the tangible and the abstract - both vital; germs, faith, law and truth, deception and reality. Parents and lawmakers. We stay wrapped up in this kind of stuff all the time, and, Father, without Your help we would surely fail. The maze of law and the maze of life. Lord, please guide us as we raise little boys and girls and formulate law. Through Christ our Lord we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 20 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (103-2).

Leaves of absence are granted Representatives Barnes, Dockham, Fox, and Hunt for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 300, AN ACT TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO PLEDGE BLOCK GRANT FUNDS AS LOAN GUARANTEES PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT. (CHAPTER 310)

S.B. 632, AN ACT TO AMEND THE VITAL RECORDS LAW. (CHAPTER 311)

S.B. 651, AN ACT TO REQUIRE THE PERMANENT IDENTIFICATION OF A DEAD BODY. (CHAPTER 312)

S.B. 682, AN ACT TO PROVIDE FOR THE APPOINTMENT OF STANDBY GUARDIANS. (CHAPTER 313)

H.B. 337, AN ACT TO PROVIDE FOR CONTROLLED ACCESS COMMUNITY FISHING LICENSES IN TRANSYLVANIA COUNTY. (CHAPTER 314)

H.B. 428, AN ACT TO PROVIDE FOR TRAINING OF TREASURERS OF REFERENDUM COMMITTEES. (CHAPTER 315)

H.B. 463, AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO INVESTIGATE AND REPORT ON THE NUMBER OF EQUITABLE DISTRIBUTION CASES PENDING ACROSS THE STATE AND THE REASONS FOR DELAYS IN DISPOSITION OF THE CASES. (CHAPTER 316)

S.B. 308, AN ACT TO AMEND THE LAW REGARDING MEDICAID FRAUD. (CHAPTER 317)

S.B. 342, AN ACT TO IMPROVE INSURANCE COMPANY FINANCIAL MATTERS BY ADOPTING STANDARDS FOR ASSUMPTION REINSURANCE, MATERIAL TRANSACTIONS, AND PROPERTY AND CASUALTY INSURER CAPITAL. (CHAPTER 318)

H.B. 270, AN ACT TO MAKE CHANGES IN THE LAWS PERTAINING TO ALIMONY. (CHAPTER 319)

H.B. 330, AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM, THE CITY OF GASTONIA, AND THE CITY OF FAYETTEVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF

PROCESS, AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND ASHEVILLE TO DO THE SAME. (CHAPTER 320)

H.B. 798, AN ACT TO REPEAL CERTAIN REQUIREMENTS PERTAINING TO MATERIALS USED IN CONJUNCTION WITH FOOD CONSUMPTION. (CHAPTER 321)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

S.B. 606, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF FACILITY AUTHORITIES AND TO ESTABLISH THE CENTENNIAL AUTHORITY, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Ives and Lemmond for the Permanent Subcommittee on General Government:

Committee Substitute for **H.B. 719,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENCOURAGE THE DEVELOPMENT OF THE INTERACTIVE VISUAL TECHNOLOGIES INDUSTRY IN THE STATE, reported to the Standing Committee on Appropriations, with a favorable recommendation, as amended, and recommend that the bill be re-referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

H.B. 1054, A BILL TO BE ENTITLED AN ACT TO AFFECT THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION, reported to the Standing Committee on Appropriations, with a favorable recommendation.

By Representative Nichols for the Committee on Health and Environment:

S.B. 544, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A PUBLIC HEARING BE HELD PRIOR TO THE APPROVAL OF AN APPLICATION FOR A NEW PERMIT, THE RENEWAL OF A PERMIT, OR A SUBSTANTIAL AMENDMENT TO A PERMIT FOR A TRANSFER STATION, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 990, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MORE EFFECTIVE ADMINISTRATIVE PERMIT REVIEW UNDER THE COASTAL AREA MANAGEMENT ACT, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 987, A JOINT RESOLUTION HONORING THE MEMORY OF FORMER MEMBERS OF THE NORTH CAROLINA STATE DEFENSE MILITIA AND RECOGNIZING THE NORTH CAROLINA STATE DEFENSE MILITIA FOR ITS CONTRIBUTIONS TO THE STATE OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

House Committee Substitute No. 2 for **S.B. 332,** A BILL TO BE ENTITLED AN ACT TO ALLOW LENDERS TO COLLECT FEES, INTEREST, AND CHARGES FOR CERTAIN LOANS AND EXTENSIONS OF CREDIT IN AMOUNTS AGREED UPON BY THE PARTIES, WITH NO STATUTORY MAXIMUM LIMIT, AND TO AUTHORIZE COMPUTATION OF REBATES BY THE SIMPLE INTEREST METHOD ON CONTRACTS GOVERNED BY THE RETAIL INSTALLMENT SALES ACT, with a favorable report as to House Committee Substitute Bill No. 3, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 3 is placed on the Calendar. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representative G. Robinson for the Committee on Ways and Means:

Committee Substitute for **H.B. 539,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON ANNEXATION IN BUNCOMBE COUNTY IF REQUESTED BY RESIDENTS OF THE AREA TO BE ANNEXED, with recommendation that the bill, as amended, be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill, as amended, is re-referred to the Committee on Rules, Calendar, and Operations of the House.

SUBCOMMITTEE REFERRALS

Representatives Holmes, Creech, and Esposito, Co-Chairs for the Standing Committee on Appropriations refer:

H.B. 804, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SCHOOL IMPROVEMENT INCENTIVE GRANT PROGRAM, to the Permanent Subcommittee on Education.

Committee Substitute for **H.B. 978,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO VOTING PRECINCTS AND TO REMOVE THE SUNSET ON DESIGNATION OF UNEMPLOYMENT OFFICES AS VOTER REGISTRATION AGENCIES TO COMPLY WITH THE NATIONAL VOTER REGISTRATION ACT, to the Permanent Subcommittee on General Government.

S.B. 815, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO VOTING PRECINCTS, to the Permanent Subcommittee on General Government.

Committee Substitute for **H.B. 1052,** A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) TO PARTICIPATE IN EMPLOYMENT/WORKFARE AND TO APPROPRIATE FUNDS, to the Permanent Subcommittee on Human Resources.

S.B. 706, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CABARRUS COUNTY TO ESTABLISH AN AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) AND FOOD STAMP WORKFARE PILOT PROGRAM AND AN ADJUNCT DEMONSTRATION PROGRAM MODIFYING THE JOBS PROGRAM, to the Permanent Subcommittee on Human Resources.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 21, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 724,** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESCRIBE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, and requests conferees. The President Pro Tempore appoints:

Senator Hartsell, Chairman
Senator Gulley
Senator Kerr

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **S.B. 563,** A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND TO CLARIFY THE ZONING JURISDICTION OF THE TOWN OF HUNTERSVILLE, is read the first time and referred to the Committee on Local and Regional Government II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 65,** A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DISPLAY OF THE UNITED STATES FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO ENCOURAGE THE DISPLAY OF THE NORTH CAROLINA FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO REQUIRE STUDENTS IN THE PUBLIC SCHOOLS TO RECITE THE PLEDGE OF ALLEGIANCE EVERY DAY, TO ENCOURAGE THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS AND THE RECITATION OF THE PLEDGE OF ALLEGIANCE IN PRIVATE SCHOOLS AND HOME SCHOOLS, AND TO ENCOURAGE DONATIONS OF FLAGS TO BE DISPLAYED IN EVERY PUBLIC SCHOOL CLASSROOM, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 22.

Upon concurrence, the Senate committee substitute changes the title.

H.B. 231, A BILL TO BE ENTITLED AN ACT TO REQUEST THE SUPREME COURT TO ADOPT A PLAN TO ADMINISTER JUSTICE WITHOUT DELAY IN NORTH CAROLINA TRIAL COURTS, is returned for concurrence in Senate amendment and placed on the Calendar for June 22.

Senate Committee Substitute for **H.B. 682,** A BILL TO BE ENTITLED AN ACT MAKING FURTHER SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN ORANGE COUNTY, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 22.

Upon concurrence, the Senate committee substitute changes the title.

S.B. 981, A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFIED INVESTMENT TAX CREDIT TO PROVIDE AN INCENTIVE FOR INVESTMENT IN SMALL NORTH CAROLINA FILM PRODUCTION BUSINESSES, is read the first time and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

House Committee Substitute for **S.B. 166,** A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS OF LAW THAT REGULATE ATTORNEYS-AT-LAW.

Pursuant to Article II, Section 18 of the North Carolina Constitution,

Representative Linney's protest of this bill is entered on the Journal.

Representative Linney offers Amendment No. 2 which fails of adoption by electronic vote (28-79).

Representative Linney offers Amendment No. 3 which fails of adoption by electronic vote (20-90).

Representative Linney offers Amendment No. 4 which fails of adoption by electronic vote (22-83).

Representative Linney offers Amendment No. 5 which fails of adoption by electronic vote (18-87).

Representative Linney offers Amendment No. 6 which fails of adoption by electronic vote (21-87).

Representative Arnold inquires of the Chair if Representative Linney is in conflict with Section 180 of Mason's Manual. The Speaker states the inquiry is valid, but allows the member to continue.

The bill, as amended, passes its second reading by electronic vote (109-2).

On motion of Representative Linney, the bill is withdrawn from the Calendar and placed on the Calendar of June 22.

H.B. 656, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE RALEIGH CITY CHARTER.

On motion of Representative Capps, the House concurs in the Senate amendment, which changes the title, by electronic vote (107-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 659,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN DUPLIN COUNTY.

On motion of Representative Braswell, the House does not concur in the Senate committee substitute, by electronic vote (104-2), and conferees are requested.

The Speaker appoints Representatives Watson, Braswell, and Buchanan

as conferees on the part of the House, and the Senate is so notified by Special Message.

Committee Substitute for **H.B. 108,** A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIALIZED REGISTRATION PLATES FOR RETIRED CLERKS OF SUPERIOR COURT.

On motion of Representative J. Brown, the House concurs in material Senate Amendment No. 1 on its third roll call reading by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Justus, Kiser, Lemmond, Linney, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Pate, Preston, Pulley, Ramsey, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 88.

Voting in the negative: Representatives Arnold, Berry, Braswell, Creech, Cunningham, Ellis, Gamble, Hackney, Hensley, Hightower, Lee, Locke, Luebke, Michaux, G. Miller, Nichols, Owens, Rayfield, Rogers, Tolson, and Weatherly - 21.

Excused absences: Representatives Barnes, Dockham, Fox, Hunt, and Hurley - 5.

On motion of Representative J. Brown, the House concurs in material Senate Amendment No. 2 on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Grady, Gray, Hackney, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Justus, Kiser, Lemmond, Linney, McComas,

McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 95.

Voting in the negative: Representatives Allred, Berry, Braswell, Creech, Cunningham, Ellis, Hensley, H. Hunter, Lee, Locke, Luebke, Rayfield, and Weatherly - 13.

Excused absences: Representatives Barnes, Dockham, Fox, Hunt, and Hurley - 5.

Senate Amendment Nos. 1 and 2 change the title.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 1043, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FULL EMPLOYMENT PROGRAM FOR RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) AND FOOD STAMPS, TO PROVIDE A NEW EMPLOYER TAX CREDIT AND TO APPROPRIATE FUNDS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Welfare Reform and Human Resources.

The committee substitute bill is re-referred to the Committee on Welfare Reform and Human Resources. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

Committee Substitute for **S.B. 637,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE HENDERSONVILLE FIREMEN'S SUPPLEMENTAL

RETIREMENT FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

The bill is re-referred to the Committee on Pensions and Retirement.

S.B. 677, A BILL TO BE ENTITLED AN ACT PERMITTING THE BOARD OF TRUSTEES OF SOUTHEASTERN COMMUNITY COLLEGE TO GRANT SECURITY INTERESTS TO FEDERAL AGENCIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Education.

The bill is re-referred to the Committee on Education.

By Representative Neely for the Committee on Judiciary II:

House Committee Substitute for **S.B. 57,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL AND TO MAKE OTHER CHANGES IN THE ABC LAWS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute for **S.B. 724,** A BILL TO BE ENTITLED AN ACT TO DESCRIBE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION: Representatives Neely, Hackney, and McCombs.

The Senate is so notified by Special Message.

RE-REFERRAL

On motion of Representative Wood, **H.B. 900,** A BILL TO BE ENTITLED AN ACT TO REQUIRE PUBLIC SCHOOL EMPLOYEES TO

REFRAIN FROM INAPPROPRIATE POLITICAL ACTIVITY, is withdrawn from the Committee on Education and re-referred to the Committee on Public Employees.

Representative Morgan moves, seconded by Representative Boyd-McIntyre, that the House adjourn subject to the receiving of the Conference Report on Senate Committee Substitute for **H.B. 229,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION BUDGET OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, to reconvene June 22 at 10:00 a.m. The motion carries.

CONFERENCE REPORT

Representative Holmes sends forth the Conference Report on Senate Committee Substitute for **H.B. 229,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION BUDGET OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 22.

The House stands adjourned at 5:58 p.m.

EIGHTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 22, 1995

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, I'm just the Chaplain, and so what do I know; but, I have watched and listened to these good folks since the last of January and have picked up a few things. And, I feel as if I have been allowed to enter a delivery room with a mother who has come to term. She is about to give birth, and like the woman in Revelations Chapter Twelve, someone is waiting to devour her child. I think that they call this politics. She has been through

caucus, committees, conferees, and compromise. She has taken all her 'amendications' and kept all her appointed substitutions. Now labor pains have begun. The time is here. What manner of child will she bring forth? Will it be true to its heritage? Will it resemble its parents? Will the grandparents be pleased? Bless this mother through this delivery, Lord, and may the father and family be her comfort and support. And, may the blood of a government of the people, by the people, and for the people fill its veins. The time has come. Be with us, Lord, lest we forget, lest we forget. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 21 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (89-3).

Leaves of absence are granted Representatives Barnes, Beall, Fox, Hunt, and Neely for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 414, AN ACT TO "OPT-IN" FOR INTERSTATE BRANCHING AUTHORITY UNDER THE RIEGLE-NEAL INTERSTATE BANKING AND BRANCHING EFFICIENCY ACT OF 1994, AND TO MAKE A CONFORMING CHANGE TO THE REVENUE LAWS. (CHAPTER 322)

H.B. 656, AN ACT TO MAKE AMENDMENTS TO THE RALEIGH CITY CHARTER AND TO ALLOW THE CITY OF RALEIGH TO IMPOSE CERTAIN REGULATIONS ON PORTIONS OF STATE SYSTEM HIGHWAYS. (CHAPTER 323)

S.J.R. 1096, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARY FRANCES POWELL SEYMOUR, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 10)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative K. Miller, Vice Chair, for the Committee on Financial Institutions:

S.B. 430, A BILL TO BE ENTITLED AN ACT TO MODIFY THE INVESTMENT AUTHORITY OF A BANK UNDER THE BANKING LAWS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Holmes, Creech, and Esposito for the Committee on Appropriations:

Committee Substitute for **H.B. 352,** A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EARLIER DATE FOR THE PRESIDENTIAL AND OTHER PRIMARIES AND TO REIMBURSE THE COUNTIES FOR POSTAGE IN THE DELIVERY OF CERTIFICATIONS OF CANDIDACY AND RESULTS OF PRIMARIES AND ELECTIONS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar for June 26. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 1012,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative G. Robinson for the Committee on Ways and Means:

H.B. 1001, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NONCOMMERCIAL MOTOR VEHICLES MORE THAN THIRTY YEARS OLD ARE EXEMPT FROM PROPERTY TAX, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

S.B. 663, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FOR THE CITY OF WILMINGTON AND NEW HANOVER COUNTY FROM THE PUBLIC RECORDS ACT FOR CERTAIN GEOGRAPHICAL INFORMATION SYSTEMS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Kiser, Vice Chair, for the Committee on Judiciary II:

House Committee Substitute for **S.B. 987,** A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSE OF CONTINUING CRIMINAL ENTERPRISE WITH REGARD TO CRIMINAL OFFENSES THAT ARE NOT DRUG OFFENSES, TO PROVIDE THAT FAILURE OF AN ITINERANT MERCHANT TO KEEP A RECEIPT OR INVOICE WITH CERTAIN INFORMATION INDICATING THE SOURCE OF THE MERCHANT'S PRODUCTS AND TO SHOW THE RECEIPT OR INVOICE TO A LAW ENFORCEMENT OFFICER UPON REQUEST IS PRIMA FACIE EVIDENCE THAT THE PRODUCTS ARE STOLEN AND TO MAKE OTHER CHANGES, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Ives and Lemmond for the Permanent Subcommittee on General Government:

Committee Substitute for **H.B. 365,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENTS THAT A CORPORATION AND A NONPROFIT CORPORATION FILE AN ANNUAL REPORT WITH AND PAY AN ANNUAL REPORT FILING FEE TO THE OFFICE OF THE

SECRETARY OF STATE, reported to the Standing Committee on Appropriations, with recommendation that the bill be postponed indefinitely.

Committee Substitute No. 2 for **H.B. 490,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNUAL REPORTS OF BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, TO ESTABLISH FEES FOR EXPEDITED FILINGS, TO PROVIDE THAT NONPROFIT RELIGIOUS CORPORATIONS ARE NOT REQUIRED TO FILE ANNUAL REPORTS, AND TO ALLOW THE SECRETARY OF STATE TO RETAIN FILED DOCUMENTS IN REPRODUCED FORM, reported to the Standing Committee on Appropriations, with a favorable recommendation as to proposed Committee Substitute Bill No. 3, unfavorable as to Committee Substitute Bill No. 2.

S.B. 499, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAYMENT OF ADDITIONAL BENEFITS TO RESCUE AND EMERGENCY MEDICAL SERVICES WORKERS, reported to the Standing Committee on Appropriations, with a favorable recommendation.

By Representative Nichols for the Committee on Health and Environment:

H.B. 930, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE LABORATORY OF PUBLIC HEALTH TO PROVIDE SERVICES TO TEST DRINKING WATER SAMPLES, TO ESTABLISH A FEE SCHEDULE FOR THE STATE WATER TESTING SERVICES, AND TO PROVIDE THAT NO STATE RULE REGULATING DRINKING WATER STANDARDS AND TESTING MAY BE MORE RESTRICTIVE THAN THE FEDERAL LAW, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

S.B. 1021, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT HOME HEALTH AGENCIES ARE RESTRICTED TO SERVING PATIENTS WITHIN THEIR SERVICE AREA, TO SUNSET THIS RESTRICTION IN TWO YEARS, AND TO REQUIRE THE HEALTH

PLANNING COMMISSION TO DETERMINE WHETHER TO RECOMMEND THE RESTRICTION BE CONTINUED, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 26. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 21, 1995

Mr. Speaker:

Pursuant to your message received Wednesday, June 21, 1995 that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 645,** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY AND THE POSSESSION OF ALCOHOLIC BEVERAGES ON PUBLIC STREETS, ALLEYS, OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 645**, (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE STATEWIDE A LOCAL ACT PROVIDING THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF OPEN CONTAINERS OF MALT BEVERAGES AND UNFORTIFIED WINE ON PUBLIC PROPERTY AND THE POSSESSION OF MALT BEVERAGES AND UNFORTIFIED WINE ON PUBLIC STREETS, ALLEYS, OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS, AND FURTHER DEFINING PUBLIC PROPERTY AND OPEN CONTAINER, and requests conferees, the President Pro Tempore appoints:

Senator Gulley, Chairman
Senator Jordan
Senator Horton

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute for **S.B. 1049,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE QUALIFIED BUSINESS TAX CREDIT TO ELIMINATE AN UNINTENDED LOOPHOLE THAT ALLOWS DOUBLE CREDITS FOR THE SAME INVESTMENT AND TO LIMIT CREDITS FOR INVESTMENTS IN CERTAIN INVESTMENT BUSINESSES, is read the first time and referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 828,** A BILL TO BE ENTITLED AN ACT TO MAKE APPOINTMENTS TO VARIOUS COMMISSIONS UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Holmes moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 229

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and

the House of Representatives on House Bill 229, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION BUDGET OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, Senate Appropriations Committee Substitute Fifth Edition Engrossed 5/18/95, submit the following report:

The House of Representatives and the Senate agree to the following amendment to the Senate Appropriations Committee Substitute Fifth Edition Engrossed 5/18/95, and the House concurs in the Senate Appropriations Committee Substitute Fifth Edition Engrossed 5/18/95, as amended:

Delete the entire Senate Appropriations Committee Substitute Fifth Edition Engrossed 5/18/95, and substitute the attached Proposed Conference Committee Substitute H229-PCCS 9153.

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: June 21, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Aaron W. Plyler, Co-chairman	S/ George M. Holmes, Co-chair
S/ Beverly M. Perdue, Co-chairman	S/ Billy J. Creech, Co-chair
S/ T. L. Odom, Co-chairman	S/ Theresa H. Esposito, Co-chair
S/ J. Clark Plexico	S/ Carolyn B. Russell
S/ Leslie Winner	S/ N. Leo Daughtry
S/ William N. Martin	S/ William M. Ives
S/ R. L. Martin	S/ J. Shawn Lemmond
S/ Ed N. Warren	S/ Robin Hayes
S/ Frank W. Ballance, Jr.	S/ Charlotte A. Gardner
S/ David W. Hoyle	S/ Frank Mitchell
S/ Anthony E. Rand	S/ John H. Weatherly
S/ J. Richard Conder	S/ Robert Grady
S/ C. R. Edwards	S/ Jean R. Preston
S/ Teena S. Little	S/ Joanne W. Bowie
S/ Dennis H. Davis	S/ Bobby H. Barbee, Sr.
S/ Fletcher L. Hartsell, Jr.	S/ Larry T. Justus
	S/ Gregg Thompson
	S/ Frances M. Cummings

S/ Bill Culpepper
S/ James W. Crawford, Jr.
S/ Edd Nye

The Conference Report is adopted, by electronic vote (86-21), and the Senate is so notified by Special Message. (The Conference Report may be found in its entirety in the 1995 Session Laws, Chapter 324.)

Representative Ellis requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (87-21).

Senate Committee Substitute for **H.B. 708,** A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ELECTRONICALLY MONITOR AND RECORD COMPLIANCE DATA OFF-SITE FROM SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES THAT USE HAZARDOUS WASTE AS A FUEL.

On motion of Representative Nichols, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (93-9), and the bill is ordered enrolled.

S.B. 664, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF PLYMOUTH, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Barnes, Beall, Fox, Hunt, and Neely - 5.

INQUIRY OF THE CHAIR

Representative Hensley inquires of the Chair if a conference report passed in violation of the rules is valid. He further inquires if the adoption of the conference report is contrary to Rule 44(b), which states that only items in controversy between the House and the Senate may be dealt with. The Chair rules that when the conference report was read in, there was no objection raised, consent was implied, thus the conference report was in order.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 339,** A BILL TO BE ENTITLED AN ACT TO GRANT ADDED POWERS TO THE STANLY AIRPORT AUTHORITY RELATED TO CONSTRUCTING AN INDUSTRIAL PARK, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Barnes, Beall, Fox, Hunt, and Neely - 5.

WITHDRAWAL OF BILLS FROM CALENDAR

Representative Decker moves that Committee Substitute for **S.B. 661,** A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN MONTGOMERY COUNTY, and **S.B. 685,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM TO REQUIRE CERTAIN ACTIONS OF ITS TRANSPORTATION AUTHORITY TO BE BY SUPERMAJORITY, be withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government II.

Objection having been raised, the motion carries by electronic vote (56-42).

Representative Decker moves that Committee Substitute for **S.B. 661** and **S.B. 685** be withdrawn from the Committee on Local and Regional Government II and placed on today's Calendar.

Representative Fitch inquires of the Chair if the motion is in order since, according to Rule 40, the bills were not grouped together, and if the motion requires a two-thirds vote. The Chair rules that the motion is in order.

Representative Decker withdraws his motion.

RECONSIDERATION OF VOTE

Representative Decker, having voted with the prevailing side, moves that the vote by which Committee Substitute for **S.B. 661,** A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN MONTGOMERY COUNTY, and **S.B. 685,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM TO REQUIRE CERTAIN ACTIONS OF ITS TRANSPORTATION AUTHORITY TO BE BY SUPERMAJORITY, were re-referred to the Committee on Local and Regional Government II be reconsidered.

The motion carries by electronic vote (94-11) and the bills remain on today's Calendar.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 826,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF SOIL SCIENTISTS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hightower, Hill, Howard, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representative R. Hunter.

Excused absences: Representatives Barnes, Beall, Ellis, Fox, Hunt, and Neely - 6.

Committee Substitute for **H.B. 865,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BOARD OF LANDSCAPE ARCHITECTS TO CHARGE REASONABLE FEES FOR THE REGISTRATION EXAMINATION TO RECOVER ALL COSTS FOR THE EXAMINATION MATERIALS AND TO DELETE REFERENCES TO TEMPORARY PERMITS ISSUED BY THE BOARD, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson,

G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Barnes, Beall, Ellis, Fox, Hunt, and Neely - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 3 for **H.B. 540,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF EIGHT HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF HE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND.

Representative G. Miller offers Amendment No. 1

Representative Nichols inquires of the Chair if an appropriation will be needed if this amendment is adopted. The Chair states that the department normally has funds for this type of study and no new appropriation is needed.

Representative Allred inquires of the Chair if this is the appropriate time to send forth an amendment that is perfecting. The Chair states that he will decide if the amendment is perfecting and this is the appropriate time to send the amendment forward.

Representative Allred sends forth an amendment. The Chair rules that it is not a perfecting amendment and the amendment is returned to the member.

Amendment No. 1 is adopted by electronic vote (103-0).

Representative Lemmond offers Amendment No. 2.

Representative Lemmond calls the previous question on the amendment and the call is sustained by electronic vote (71-33).

Amendment No. 2 fails of adoption by electronic vote (34-73).

Representative Lemmond offers Amendment No. 3.

Representative Lemmond calls the previous question on the amendment and the call is sustained by electronic vote (88-24).

Amendment No. 3 fails of adoption by electronic vote (33-77).

Representative Arnold moves that the bill be withdrawn from the Calendar and placed on the Calendar of the first day of the 1996 session.

Representative Morgan inquires of the Chair if the motion is in order. The Chair rules that it is in order.

Representative Morgan calls the previous question on the motion to postpone to a day certain and the call is sustained by electronic vote (74-36).

The motion to postpone to a day certain fails by electronic vote (54-59).

Representative C. Wilson calls the previous question on the bill. The call for the previous question fails by electronic vote (43-69).

Representative Shaw offers Amendment No. 4.

Representative Shaw calls the previous question on the amendment.

Representative Shaw withdraws his motion.

Representative Shaw offers perfecting Amendment No. 5 which is adopted by electronic vote (92-18).

Representative Creech moves that the bill, along with pending Amendment No. 4, be withdrawn from the Calendar and re-referred to the Committee on Finance.

Representative Creech calls the previous question on the motion and the call is sustained by electronic vote (91-23).

The motion to re-refer the bill, along with pending Amendment No. 4, carries by electronic vote (61-52).

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute for **S.B. 662,** A BILL TO BE ENTITLED AN ACT TO ALLOW RICHMOND COUNTY TO CREATE FIRE PROTECTION DISTRICTS IN WHICH FIRE PROTECTION IS FUNDED BY FEES RATHER THAN TAXES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative G. Robinson for the Committee on Business and Labor:

H.B. 779, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA BOARD OF EMPLOYEE ASSISTANCE PROFESSIONALS AND TO PROVIDE FOR THE LICENSING OF EMPLOYEE ASSISTANCE PROFESSIONALS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

Committee Substitute for **S.B. 1080,** A BILL TO BE ENTITLED AN ACT TO PLACE CERTAIN RESTRICTIONS ON THE SITING OF SWINE HOUSES AND LAGOONS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The House committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Miner for the Committee on Transportation:

H.B. 853, A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO VARIOUS STATUTES REGULATING THE

TOWING OF MOTOR VEHICLES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 1014, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PROVIDE CONSTRUCTION AND MAINTENANCE SERVICES AT THE WESTERN RESIDENCE OF THE GOVERNOR, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

S.B. 357, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT OF MAKING QUARTERLY REPORTS OF MILEAGE OF STATE VEHICLES ASSIGNED TO THE DEPARTMENT AND TO ALLOW ASSIGNMENTS OF VEHICLES TO THE DEPARTMENT TO BE REVOKED ONLY WHEN THE DEPARTMENT CONSENTS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 530, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY PUBLISH A NOTICE OF A ROAD CLOSURE HEARING RATHER THAN PUBLISHING THE FULL ROAD CLOSURE RESOLUTION AS CURRENTLY REQUIRED BY LAW, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 668, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE STATUTE PERMITTING PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 689,** A BILL TO BE ENTITLED AN ACT

TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE OLYMPIC GAMES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 752, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES THAT HAVE PROTECTED MOUNTAIN RIDGES TO ESTABLISH COUNTY SERVICE DISTRICTS TO PROVIDE FOR CERTAIN ROAD NEEDS OF THE DISTRICT AND TO ALLOW UNDER CERTAIN CIRCUMSTANCES THE MAINTENANCE OF PUBLIC ROADS LYING OUTSIDE THE DISTRICT, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

S.B. 836, A BILL TO BE ENTITLED AN ACT TO ENHANCE PARENTAL SUPPORT OF CHILDREN BY AMENDING THE LAW PERTAINING TO CIVIL ACTIONS TO ESTABLISH PATERNITY, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 430,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A COURT MAY ORDER PAYMENT OF COSTS BY CERTAIN DEFENDANTS FOR SERVICES TO VICTIMS AND WITNESSES AND TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS FOR ADDITIONAL VICTIM/WITNESS ASSISTANT POSITIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 182,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF A CANDIDATE DIED BEFORE THE PRIMARY ELECTION, THE ESTATE OF THE CANDIDATE SHALL BE ENTITLED TO A REFUND OF THE FILING FEE, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

CONFERENCE REPORT

Representative Neely sends forth the Conference Report on House Committee Substitute for **S.B. 724,** A BILL TO BE ENTITLED AN ACT TO DESCRIBE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 26.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 22, 1995

Mr. Speaker:

On **H.B. 229,** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION BUDGET OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 22, 1995

Mr. Speaker:

On **S.B. 724** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESCRIBE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

RE-REFERRALS

On motion of Representative G. Robinson, pursuant to Rule 39.2, **H. B. 1066,** A BILL TO BE ENTITLED AN ACT TO IMPOSE A DISPOSAL TAX ON CONTAINERS THAT FAIL TO RECYCLE SUFFICIENTLY AND TO DISTRIBUTE THE REVENUE FROM THE DISPOSAL TAX ON CONTAINERS TO THE SOLID WASTE MANAGEMENT TRUST FUND, is withdrawn from the Committee on Business and Labor and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Neely, pursuant to Rule 39.2 and without objection, **S.B. 323,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OBSERVERS AT A PRECINCT'S VOTING PLACE NEED NOT BE REGISTERED VOTERS IN THAT PRECINCT BUT SHALL BE REGISTERED VOTERS IN THE COUNTY, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative McCombs, **S.B. 525,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE HEALTH DIRECTOR TO

PREPARE A MEDICAL AND HEALTH BENEFITS PLAN, is withdrawn from the Committee on Pensions and Retirement and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Locke, the House adjourns at 12:35 p.m. to reconvene Monday, June 26, 1995, at 4:00 p.m.

EIGHTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 26, 1995

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, as we begin our prayer today, we all would join in remembering Joi Braswell, seriously injured and also Mrs. Brewer. We ask for both wholesome and complete recovery, and for their families, comfort, peace and strength. Thank You for this weekend at home, and for Your providence that brings us back to Raleigh again. What a privilege to be citizens of North Carolina and a part of this marvelous and kaleidoscopic group. These representatives are a unique people. They love their work, they love being in charge, calling the shots, a service that controls and directs. Decision-making is their specialty. They are a special breed - pleasers of people, and yet fiercely independent. That which would destroy others is to them, food and drink. Pleasing constituents, special interest groups, pushing party philosophy, and getting re-elected are the nutrients of life to them. Since they are the warp and woof of this representative democracy, we ask You to bless and to use them for Your purposes and the good of the people. Protect them from themselves and from others who would deter and thwart Your holy plans. 'Only her hairdresser knows' if this will be our last week. If so there will be stress, so bless and guide our Speaker, our Principal Clerk and her colleagues, our Sergeant-at-Arms and his staff, House officers, personal secretaries, staff and counsel and remind us all that:

'When the shouting and the tumult dies,

The captains and the kings depart,
That these still remain thine ancient sacrifice,
A humble and a contrite heart.'

'Through Christ our Lord we pray. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 22 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-1).

Leaves of absence are granted Representatives Braswell, Church, and Gray for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative McCombs for the Committee on Pensions and Retirement:

Committee Substitute for **S.B. 637,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE HENDERSONVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 694,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE GOLDSBORO FIREMEN'S SUPPLEMENTAL PENSION FUND, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

House Committee Substitute for **S.B. 426,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW, with a favorable

report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar for June 27. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 943,** A BILL TO BE ENTITLED AN ACT TO ADDRESS MOTOR FUEL TAX EVASION AND TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAXES BY CHANGING THE POINT OF TAXATION OF GASOLINE AND DIESEL FUEL, TO REPEAL THE MINIMUM HIGHWAY USE TAX, AND TO STRENGTHEN THE ENFORCEMENT OF THE ROAD TAX PAID BY MOTOR CARRIERS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 27. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Hayes and Gardner for the Permanent Subcommittee on Human Resources of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 1052,** A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) TO PARTICIPATE IN EMPLOYMENT/WORKFARE AND TO APPROPRIATE FUNDS, with a favorable report.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 27.

S.B. 706, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CABARRUS COUNTY TO ESTABLISH AN AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) AND FOOD STAMP WORKFARE PILOT PROGRAM AND AN ADJUNCT DEMONSTRATION PROGRAM MODIFYING THE JOBS PROGRAM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Ives and Lemmond for the Permanent Subcommittee on General Government:

Committee Substitute for **H.B. 978,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO VOTING PRECINCTS AND TO REMOVE THE SUNSET ON DESIGNATION OF UNEMPLOYMENT OFFICES AS VOTER REGISTRATION AGENCIES TO COMPLY WITH THE NATIONAL VOTER REGISTRATION ACT, reported to the Standing Committee on Appropriations with recommendation that the bill be postponed indefinitely.

S.B. 815, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO VOTING PRECINCTS, reported to the Standing Committee on Appropriations with a favorable recommendation.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 239,** A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK AND UNION COUNTIES TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is returned for concurrence in Senate amendment and placed on the Calendar for June 27.

The Speaker rules the amendment to be material, thus constituting its first reading.

Upon concurrence, the Senate amendment changes the title.

Senate Committee Substitute No. 2 for **H.B. 473,** A BILL TO BE ENTITLED AN ACT TO MAKE PROCEDURAL CHANGES AND TECHNICAL CORRECTIONS TO THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT, TO ALLOW RETROACTIVE INDEMNIFICATION OF A MANAGER OR MEMBER OF A LIMITED LIABILITY COMPANY, AND TO EXTEND THE USURY EXEMPTION TO LIMITED LIABILITY COMPANIES AND PARTNERSHIPS, is returned for concurrence in Senate Committee Substitute No. 2 and placed on the Calendar for June 27.

Upon concurrence, Senate Committee Substitute No. 2 changes the title.

Senate Committee Substitute for **H.B. 496,** A BILL TO BE ENTITLED AN ACT TO CREATE AN OFFENSE OF COMMUNICATING THREATS TO A SCHOOL BUS DRIVER AND ASSAULTING A SCHOOL BUS DRIVER AND OTHER SCHOOL PERSONNEL, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 27.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 762,** A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT DEPOSITIONS RECORDED BY SOUND-AND-VISUAL MEANS MUST BE TRANSCRIBED AND TO PROVIDE THAT, INSTEAD OF A TRANSCRIPTION, THE RECORDING MAY BE REVIEWED BY THE DEPONENT AND MAY BE USED AS THE COURT'S COPY OF THE DEPOSITION, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 27.

Committee Substitute No. 2 for **H.B. 770,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF COUNTY SERVICE DISTRICTS FOR LAW ENFORCEMENT SERVICES AND TO CHANGE THE REQUIREMENTS FOR CREATION OF DISTRICTS COVERING THE ENTIRE UNINCORPORATED AREA OF A COUNTY, is returned for concurrence in Senate amendment and placed on the Calendar for June 27.

H.B. 846, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT STATE LEGISLATIVE AND CONGRESSIONAL REDISTRICTING PLANS MAY NOT DIVIDE PRECINCTS UNLESS A PLAN HAS BEEN REJECTED UNDER SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AND IF SO REJECTED, ONLY THE MINIMUM NUMBER OF PRECINCTS ARE DIVIDED IN A SUBSEQUENT PLAN AS ARE REQUIRED TO OBTAIN APPROVAL, is returned for concurrence in Senate amendment and placed on the Calendar for June 27.

Committee Substitute for **H.B. 923,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CITIES MAY ALLOW PAWNBROKERS ONLY WITH A SPECIAL USE PERMIT, is returned for concurrence in Senate amendment and placed on the Calendar for June 27.

Senate Committee Substitute for **H.B. 994,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY CHANGING VARIOUS REVENUE STATUTES, is returned for concurrence in Senate committee

substitute and placed on the Calendar for June 27.

Committee Substitute for **S.B. 396,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE REGULATED ARRANGEMENTS AMONG PHYSICIANS WHEN THE ARRANGEMENT WILL HELP CONTROL COSTS, IMPROVE ACCESS, IMPROVE QUALITY, OR IMPLEMENT MANDATED HEALTH CARE REFORMS, is read the first time and referred to the Committee on Finance.

INTRODUCTION OF PAGES

Pages for the week of June 26-29 are introduced to the membership. They are: Mike Batounis of Lincoln; Mary Browning of Washington; Elizabeth Browning of Washington; Catherine Crowell of Anson; Peter K. Cunningham of Mecklenburg; Sarah Goodwin of Richmond; Todd Hales of Pitt; Eric Hawkins of Davidson; Donna Hightower of Anson; Erin Kelly of Rowan; Sheldon Lanier of Craven; Brandon Leslie of Moore; Paul Lichstein of Pitt; Jesse Lichstein of Pitt; Caroline Mitchell of Forsyth; Afton Mosley of Wake; Melissa Mustard of Beaufort; Stephen Pajerski of Wake; Blanca Pina of Iredell; Julian Pugh of Randolph; Nick Reece of Forsyth; Dallas Rich of Randolph; Megan Shepherd of Forsyth; Brian Short of Cumberland; Michael Shuman of Guilford; Crystal Stevenson of Cabarrus; Tom Switzer of Carteret; Melissa Watkins of Johnston; Katie Webb of Rowan; Harrison Weber of Wake; Jessica White of Forsyth; Adrienne Wilson of Forsyth; Sumer Woodle of Catawba; and Terra-Lynn Zentara of Wake.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 229, AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION BUDGET OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES. (CHAPTER 324)

S.B. 664, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF PLYMOUTH. (CHAPTER 325)

H.B. 108, AN ACT TO PROVIDE SPECIALIZED REGISTRATION PLATES FOR RETIRED CLERKS OF SUPERIOR COURT AND FOR SUPPORTERS OF PROFESSIONAL SPORTS TEAMS AND TO LIMIT

AMERICAN LEGION SPECIALIZED REGISTRATION PLATES TO MEMBERS OF THE AMERICAN LEGION. (CHAPTER 326)

H.B. 708, AN ACT TO AMEND THE GENERAL STATUES TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ELECTRONICALLY MONITOR AND RECORD COMPLIANCE DATA OFF-SITE FROM SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES THAT USE HAZARDOUS WASTE AS A FUEL AND TO CLARIFY THE CIRCUMSTANCES UNDER WHICH A PRIVATE ENVIRONMENTAL CONSULTING OR ENGINEERING FIRM MAY BE EMPLOYED TO IMPLEMENT AND OVERSEE A VOLUNTARY REMEDIAL ACTION. (CHAPTER 327)

S.B. 379, AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON THE JUVENILE CODE TO ALLOW COURTS TO ORDER PSYCHIATRIC OR PSYCHOLOGICAL TREATMENT OF PARENTS OF JUVENILES ADJUDICATED DELINQUENT, UNDISCIPLINED, ABUSED, NEGLECTED, OR DEPENDENT AT THE DISPOSITIONAL HEARINGS OR SUBSEQUENT HEARINGS AND TO PROVIDE FOR NOTICE. (CHAPTER 328)

S.B. 496, AN ACT TO ALLOW LOCAL GOVERNMENTS TO FORGO COLLECTION OF AD VALOREM TAX BILLS WHEN THE ORIGINAL PRINCIPAL AMOUNT DUE IS UNDER FIVE DOLLARS. (CHAPTER 329)

H.B. 416, AN ACT TO CLARIFY THAT IMMUNITY FROM LIABILITY FOR AGENCIES SUPERVISING COMMUNITY SERVICE WORK INCLUDES CLAIMS FROM PERSONS WORKING UNDER A DEFERRED PROSECUTION AGREEMENT, PERSONS ON PROBATION AND PERSONS ON PAROLE. (CHAPTER 330)

RE-REFERRALS

On motion of Representative Morgan, pursuant to Rule 39.2, **H.B. 870,** A BILL TO BE ENTITLED AN ACT TO REMOVE CHILD DAY CARE HOMES CARING FOR FEWER THAN FIVE CHILDREN FROM STATE DAY CARE REGULATION UNDER ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, is withdrawn from the Committee on Welfare Reform and Human Resources and re-referred to the Committee on

Appropriations, Subcommittee on Human Resources.

On motion of Representative Morgan, pursuant to Rule 39.2, House Committee Substitute for **S.B. 752,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES THAT HAVE PROTECTED MOUNTAIN RIDGES TO ESTABLISH COUNTY SERVICE DISTRICTS TO PROVIDE FOR CERTAIN ROAD NEEDS OF THE DISTRICT AND TO ALLOW UNDER CERTAIN CIRCUMSTANCES THE MAINTENANCE OF PUBLIC ROADS LYING OUTSIDE THE DISTRICT, is withdrawn from the Calendar and re-referred to the Committee on Finance.

On motion of Representative Morgan, pursuant to Rule 39.2, House Committee Substitute for **S.B. 430,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE INVESTMENT AUTHORITY OF A BANK UNDER THE BANKING LAWS, is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

VOTE RECONSIDERED

Representative Cansler, having voted with the prevailing side, moves that the vote by which Committee Substitute No. 3 for **H.B. 540,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF EIGHT HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF HE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND and pending Amendment No. 4, were re-referred to the Committee on Finance be reconsidered and be placed on today's Calendar.

Representative Michaux inquires of the Chair the status of the pending amendment. The Chair states the bill with pending amendment would be reconsidered.

The motion carries, by electronic vote (81-33), and the bill is placed on today's Calendar in the regular Order of Business.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Hackney moves the adoption of the following Conference Report.

House Committee Substitute for S. B. 724

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 724, A BILL TO BE ENTITLED AN ACT TO DESCRIBE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, Fourth Edition Engrossed 6/14/95, submit the following report:

The Senate concurs in the House Committee Substitute Fourth Edition Engrossed 6/14/95 with the following amendment:
On page 2, delete lines 4 through 19 and substitute the following: fact authority.)

"(1) Real property ~~transactions;~~ transactions
(2) Personal property ~~transactions;~~ transactions
(3) Bond, share, stock, securities and commodity ~~transactions;~~ transactions
(4) Banking ~~transactions;~~ transactions
(5) Safe ~~deposits;~~ deposits
(6) Business operating ~~transactions;~~ transactions
(7) Insurance ~~transactions;~~ transactions
(8) Estate ~~transactions;~~ transactions
(9) Personal relationships and ~~affairs;~~ affairs
(10) Social security and ~~unemployment~~; unemployment
(11) Benefits from ~~military service~~; military service
(12) Tax matters
(13) Employment of agents
(14) Gifts to charities, and to individuals other than the attorney in fact
(15) Gifts to the named attorney-in-fact "

The House agrees to the same

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: June 22, 1995.

Conferees for the Senate	*Conferees for the Houseof Representatives*
S/ Fletcher L. Hartsell, Jr.	S/ Charles B. Neely, Jr.
S/ Wib P. Gulley	S/ Joe Hackney
S/ John H. Kerr, III	S/ Daniel F. McComas

The Conference Report is adopted, by electronic vote (110-0), and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 682,** A BILL TO BE ENTITLED AN ACT MAKING FURTHER SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN ORANGE AND CHATHAM COUNTIES.

The Speaker rules the Senate committee substitute to be material.

On motion of Representative Hackney, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 109.

Voting in the negative: Representative Aldridge.

Excused absences: Representatives Braswell, Church, and Gray - 3.

Senate Committee Substitute for **H.B. 65,** A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DISPLAY OF THE UNITED STATES FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO ENCOURAGE THE DISPLAY OF THE NORTH CAROLINA FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO REQUIRE STUDENTS IN THE PUBLIC SCHOOLS TO RECITE THE PLEDGE OF ALLEGIANCE EVERY DAY, TO ENCOURAGE THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS AND THE RECITATION OF THE PLEDGE OF ALLEGIANCE IN PRIVATE SCHOOLS AND HOME SCHOOLS, AND TO ENCOURAGE DONATIONS OF FLAGS TO BE DISPLAYED IN EVERY PUBLIC SCHOOL CLASSROOM.

On motion of Representative K. Miller, the House does not concur in the Senate committee substitute, by electronic vote (94-22), and conferees are requested.

The Speaker appoints Representatives K. Miller, Morgan, and Wilkins as conferees on the part of the House and the Senate is so notified by Special Message.

H.B. 231, A BILL TO BE ENTITLED AN ACT TO REQUEST THE SUPREME COURT TO ADOPT A PLAN TO ADMINISTER JUSTICE WITHOUT DELAY IN NORTH CAROLINA TRIAL COURTS.

On motion of Representative R. Hunter, the House concurs in the Senate amendment, by electronic vote (111-0), and the bill is ordered enrolled.

House Committee Substitute for **S.B. 339,** A BILL TO BE ENTITLED AN ACT TO GRANT ADDED POWERS TO THE STANLY AIRPORT AUTHORITY RELATED TO CONSTRUCTING AN INDUSTRIAL PARK, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller,

Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Braswell and Church - 2.

H.J.R. 987, A JOINT RESOLUTION HONORING THE MEMORY OF FORMER MEMBERS OF THE NORTH CAROLINA STATE DEFENSE MILITIA AND RECOGNIZING THE NORTH CAROLINA STATE DEFENSE MILITIA FOR ITS CONTRIBUTIONS TO THE STATE OF NORTH CAROLINA, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

H.B. 624, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE ABORTION MAY BE PERFORMED, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations, Subcommittee on Human Resources.

The committee substitute bill is re-referred to the Committee on Appropriations, Subcommittee on Human Resources. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 836,** A BILL TO BE ENTITLED AN ACT TO EXPEDITE THE ENVIRONMENTAL PERMITTING PROCESS BY ALLOWING THE OPTION OF SUBMITTING PERMIT

APPLICATIONS CERTIFIED BY A PROFESSIONAL ENGINEER AND ALLOWING THESE APPLICATIONS TO BE IMMEDIATELY SENT TO PUBLIC NOTICE AND HEARING AND SUBJECTED TO SIMULTANEOUS TECHNICAL REVIEW, AND TO INCREASE THE MAXIMUM AMOUNT OF THE FEE THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY ASSESS FOR PROCESSING AN APPLICATION FOR A PERMIT UNDER THE WATER AND AIR QUALITY PROGRAMS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

S.B. 751, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TREATMENT OR SERVICES RENDERED BY CERTIFIED FEE-BASED PRACTICING PASTORAL COUNSELORS SHALL BE REIMBURSABLE UNDER THE STATE HEALTH PLAN AND OTHER HEALTH INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 27.

NOTICE TO RECALL BILLS

Representative Nichols gives notice, pursuant to Rule 39(a), of his intent to recall **H.B. 760,** A BILL TO BE ENTITLED AN ACT TO STANDARDIZE THE INVESTIGATION AND DISCIPLINE OF LAW ENFORCEMENT OFFICERS AND TO PROVIDE FOR JUDICIAL REVIEW, from the Calendar pursuant to Rule 36(a). Representative Nichols states that he has fully complied with the Rules.

Representative Ellis gives notice, pursuant to Rule 39(a), of his intent to recall **H.B. 693,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON ANNEXATION IN BARCLAY DOWNS, LYNNWOOD ESTATES, AND HODGE ROAD IN WAKE COUNTY IF REQUESTED BY RESIDENTS OF THE AREA TO BE ANNEXED, from the Committee on Finance. Representative Ellis states that he has fully complied with the Rules.

On motion of Representative Morgan, seconded by Representative

Watson, the House adjourns at 5:15 p.m. to reconvene June 27 at 10:00 a.m.

EIGHTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 27, 1995

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, there is a sense of urgency here in the building these days, like, 'It's now or never', or 'He who hesitates is lost'. These folks are getting kinda testy with each other and there is an atmosphere like it's time for that shot at the buzzer, or a hail Mary pass. The air itself is filled with the hum of intrigue. Parliamentary maneuvers have more moves than a hula line. These good people are hard at it, Lord, and since what they do concerns me, the citizen, I sure hope it all has purpose and meaning. I don't understand all that they are doing, but then I don't understand all that You do either. But you told Peter, 'What I do thou knowest not now; but thou shalt know hereafter.' (John 13:7). That helps, Lord, and so I'll just trust that these folks have a purpose in what they are doing, too. Like the man last winter who tied his mule to a post at a country store where I had stopped. Seeing the mule was novelty enough, but then he kissed her full in the mouth. I just couldn't take that and so I walked over and asked him, 'You must love that mule to kiss her like that'. He replied, 'Didn't kiss her cause I love'. 'Well, why did you kiss her?' I questioned. He answered, 'Because I've got chapped lips'. 'Will that cure them?' I asked. 'No' he said, 'But it sure will keep you from licking them'. Father, like I said, I don't understand all about life or my wife, or the State Legislature, but I find consolation in trusting that for whatever these good people are doing, there is a reason. Thank You, Father. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 26 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (104-2).

Leaves of absence are granted Representatives Braswell and Church for

today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 724, AN ACT TO DESCRIBE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 331)

S.B. 331, AN ACT TO PROVIDE A LIMITED TOLERANCE FOR EXISTING TRUCK WEIGHTS. (CHAPTER 332)

H.B. 231, AN ACT TO REQUEST THE SUPREME COURT TO ADOPT A PLAN TO ADMINISTER JUSTICE WITHOUT DELAY IN NORTH CAROLINA TRIAL COURTS. (CHAPTER 333)

H.B. 487, AN ACT TO AUTHORIZE PILOT PROGRAMS IN WHICH STUDENTS ARE REQUIRED TO WEAR UNIFORMS IN PUBLIC SCHOOLS. (CHAPTER 334)

H.B. 639, AN ACT TO AMEND THE PROVISIONS UNDER WHICH THE PIEDMONT TRIAD AIRPORT AUTHORITY REGULATES PARKING AT THE PIEDMONT TRIAD INTERNATIONAL AIRPORT. (CHAPTER 335)

H.B. 848, AN ACT TO REQUIRE NOTICE TO AND CONSULTATION WITH THE MINOR'S LEGALLY RESPONSIBLE PERSON BEFORE DISCHARGE FROM TREATMENT OF MENTAL ILLNESS OR SUBSTANCE ABUSE. (CHAPTER 336)

H.J.R. 987, A JOINT RESOLUTION HONORING THE MEMORY OF FORMER MEMBERS OF THE NORTH CAROLINA STATE DEFENSE MILITIA AND RECOGNIZING THE NORTH CAROLINA STATE DEFENSE MILITIA FOR ITS CONTRIBUTIONS TO THE STATE OF NORTH CAROLINA. (RESOLUTION 11)

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 26, 1995

Mr. Speaker:

Pursuant to your message received Monday, June 26, 1995 that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 65,** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISPLAY OF THE UNITED STATES FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO ENCOURAGE THE DISPLAY OF THE NORTH CAROLINA FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO REQUIRE STUDENTS IN THE PUBLIC SCHOOLS TO RECITE THE PLEDGE OF ALLEGIANCE EVERY DAY, TO ENCOURAGE THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS AND THE RECITATION OF THE PLEDGE OF ALLEGIANCE IN PRIVATE SCHOOLS AND HOME SCHOOLS, AND TO ENCOURAGE DONATIONS OF FLAGS TO BE DISPLAYED IN EVERY PUBLIC SCHOOL CLASSROOM, which proposes to change the title, upon concurrence, to read **H.B. 65,** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS IN PUBLIC SCHOOL CLASSROOMS, TO ENCOURAGE THE RECITAL OF THE PLEDGE OF ALLEGIANCE IN THE PUBLIC SCHOOLS, TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP MODEL GUIDELINES FOR IMPLEMENTING THIS ACT, AND TO ENCOURAGE DONATIONS OF FLAGS TO BE DISPLAYED IN PUBLIC SCHOOL CLASSROOMS, and requests conferees, the President Pro Tempore appoints:

Senator Plexico, Chairman
Senator Winner
Senator Allran

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 26, 1995

Mr. Speaker:

Pursuant to your message received Thursday, June 22, 1995, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 659,** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN DUPLIN COUNTY, which changes the title, upon concurrence, to read **H.B. 659,** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING WITHOUT PERMISSION FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN DUPLIN COUNTY, and requests conferees, the President Pro Tempore appoints:

Senator Albertson
Senator Rand
Senator Shaw
Senator Dannelly

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 26, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 119,** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER WITHOUT COMPENSATION, which changes the title, upon

concurrence, to read **S.B. 119,** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS AND ARCHITECTS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER WITHOUT COMPENSATION, and requests conferees. The President Pro Tempore appoints:

Senator Winner
Senator Hobbs
Senator Ballantine

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Pate, Thompson, and Culpepper as conferees on the part of the House and the Senate is so notified by Special Message.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 661,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF FILLING A VACANCY ON THE HALIFAX COUNTY BOARD OF EDUCATION, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 28.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 905,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CIVIL REMEDIES AVAILABLE FOR RETURNED CHECKS, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 28.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan, pursuant to Rule 38(a), Committee

Substitute for **H.B. 430,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A COURT MAY ORDER PAYMENT OF COSTS BY CERTAIN DEFENDANTS FOR SERVICES TO VICTIMS AND WITNESSES AND TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS FOR ADDITIONAL VICTIM/WITNESS ASSISTANT POSITIONS, is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

RE-REFERRALS

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 430,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE INVESTMENT AUTHORITY OF A BANK UNDER THE BANKING LAWS, is withdrawn from the Committee on Appropriations and placed on the Calendar pursuant to Rule 36(a).

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 345,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Committee Substitute No. 2 for **H.B. 694,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRIVATE SERVICE OF PROCESS IN WAKE COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, Rogers,

Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Representatives Daughtry and R. Hunter - 2.

Excused absences: Representatives Braswell and Church - 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 661,** A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN MONTGOMERY COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 685, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM TO REQUIRE CERTAIN ACTIONS OF ITS TRANSPORTATION AUTHORITY TO BE BY SUPERMAJORITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

NOTICE TO RECALL BILL

Representative Luebke gives notice pursuant to Rule 39, of his intent to recall **H.B. 404,** A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD FROM FOUR PERCENT TO THREE PERCENT, from the Committee on Finance. Representative Luebke states that he has fully complied with the rule.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 913,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRELITIGATION MEDIATION OF FARM DISPUTES REGARDING NUISANCE CLAIMS.

Representative W. Brown offers Amendment No. 1 which is adopted by electronic vote (104-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Braswell, Church, and Neely - 3.

Senate Committee Substitute for **H.B. 682,** A BILL TO BE ENTITLED AN ACT MAKING FURTHER SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN ORANGE AND CHATHAM COUNTIES.

On motion of Representative Hackney, the House concurs in the material Senate committee substitute on its third roll call reading, which changes the title, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Clary, Cocklereece, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary,

McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, G. Robinson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 98.

Voting in the negative: Representatives Aldridge, Allred, Berry, Capps, Creech, Davis, Ellis, Linney, K. Miller, Nichols, Reynolds, and Russell - 12.

Excused absences: Representatives Braswell, Church, and Neely - 3.

Committee Substitute No. 2 for **H.B. 5,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PUBLIC ASSISTANCE PERSONAL AND FAMILY RESPONSIBILITY ACT OF 1995 AND TO REAUTHORIZE THE LEGISLATIVE STUDY COMMISSION ON WELFARE REFORM.

Representative Berry offers Amendment No. 5 which is adopted by electronic vote (107-0).

Representative Berry offers Amendment No. 6.

Representative Luebke inquires of the Chair if Amendment No. 6 is in order due to the independent appropriation included in the amendment. The Speaker rules the amendment is in order since the continuation budget has passed.

Amendment No. 6 is adopted by electronic vote (98-15).

REPRESENTATIVE RUSSELL, SPEAKER PRO TEMPORE, PRESIDING.

Representative Easterling offers Amendment No. 7 which fails of adoption by electronic vote (48-62).

Representative Adams offers Amendment No. 8 which fails of adoption by electronic vote (46-66).

Representative Adams offers Amendment No. 9.

SPEAKER BRUBAKER PRESIDING.

Amendment No. 9 fails of adoption by electronic vote (48-64).

Representative Easterling offers Amendment No. 10 which fails of adoption by electronic vote (46-65).

Representative Berry calls the previous question on the passage of the bill and the call is sustained by electronic vote (72-43).

The bill, as amended, passes its third reading, by electronic vote (78-38), and is ordered engrossed and sent to the Senate by Special Message.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representatives Gardner and Hayes for the Permanent Subcommittee on Human Resources:

H.B. 1000, A BILL TO BE ENTITLED AN ACT TO REAFFIRM THE STATE'S COMMITMENT TO CONTINUE THE CENTRAL NORTH CAROLINA SCHOOL FOR THE DEAF, TO REDRAW THE REGIONAL RESIDENTIAL ATTENDANCE ZONE SERVED BY THE CENTRAL NORTH CAROLINA SCHOOL FOR THE DEAF, TO ESTABLISH A HIGH SCHOOL AT THE CENTRAL NORTH CAROLINA SCHOOL FOR THE DEAF, TO REQUIRE THAT THE LEGISLATIVE RESEARCH COMMISSION STUDY THE ISSUE OF THE FUTURE OF THE SCHOOLS FOR THE DEAF AND OF THE DIVISION OF SERVICES FOR THE DEAF AND HARD OF HEARING, AND TO APPROPRIATE FUNDS, reported to the Standing Committee on Appropriations with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the proposed committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRALS

On motion of Representative J. Brown, pursuant to Rule 39.2, **S.B. 974,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURE WASTE TO BE CERTIFIED AS A WATER POLLUTION CONTROL SYSTEMS OPERATOR, is withdrawn from the Committee on Agriculture and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Gray and without objection, **H.B. 952,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA BRIDGE AUTHORITY, is withdrawn from the Committee on Finance and re-referred to the Committee on Ways and Means.

On motion of Representative Gray and without objection, Committee Substitute for **S.B. 590,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, the House recesses at 12:03 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 941, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO PUBLIC UTILITIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 200,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CIVIL PENALTIES FOR VIOLATIONS OF THE GASOLINE AND OIL INSPECTION LAW, THE MEAT INSPECTION LAW, AND THE ANIMAL WELFARE AND ANIMAL HEALTH LAWS, with a favorable report as to House committee substitute bill, which changes

the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 828,** A BILL TO BE ENTITLED AN ACT TO MAKE APPOINTMENTS TO VARIOUS COMMISSIONS UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

CONFERENCE REPORT

Representative Wright sends forth the Conference Report on Senate Committee Substitute for **H.B. 645,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY AND THE POSSESSION OF ALCOHOLIC BEVERAGES ON PUBLIC STREETS, ALLEYS, OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS. On motion of the Chair and without objection, the Conference Report is placed on the Calendar of June 29.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 168,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF CHILD SUPPORT BY CREATING ADDITIONAL REMEDIES.

Representative Gardner offers Amendment No. 1 which is adopted by electronic vote (83-21).

Representative Linney offers Amendment No. 2.

On motion of Representative Culpepper, seconded by Representative Hill, Amendment No. 2 is tabled by electronic vote (77-26).

Representative Linney offers Amendment No. 3 which fails of adoption by electronic vote (14-93).

The bill, as amended, passes its third reading, by electronic vote (108-1), and is ordered engrossed and sent to the Senate by Special Message.

RE-REFERRAL

On motion of Representative Decker and without objection, Committee Substitute for **S.B. 563,** A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND TO CLARIFY THE ZONING JURISDICTION OF THE TOWN OF HUNTERSVILLE, is withdrawn from the Committee on Local and Regional Government II and re-referred to the Committee on Finance.

On motion of the Chair, the House recesses at 3:08 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 27, 1995

Mr. Speaker:

On **H.B. 645,** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY AND THE POSSESSION OF ALCOHOLIC BEVERAGES ON PUBLIC STREETS, ALLEYS, OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 645,** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE STATEWIDE A LOCAL ACT PROVIDING THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF OPEN

CONTAINERS OF MALT BEVERAGES AND UNFORTIFIED WINE ON PUBLIC PROPERTY AND THE POSSESSION OF MALT BEVERAGES AND UNFORTIFIED WINE ON PUBLIC STREETS, ALLEYS, OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS, AND FURTHER DEFINING PUBLIC PROPERTY AND OPEN CONTAINER, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees, and the title becomes **H.B. 645,** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE STATEWIDE A LOCAL ACT PROVIDING THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF OPEN CONTAINERS OF MALT BEVERAGES AND UNFORTIFIED WINE ON PUBLIC PROPERTY AND THE POSSESSION OF MALT BEVERAGES AND UNFORTIFIED WINE ON PUBLIC STREETS, ALLEYS, OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS, AND FURTHER DEFINING PUBLIC PROPERTY AND OPEN CONTAINER to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 422,** A BILL TO BE ENTITLED AN ACT TO PERMIT A NORTH CAROLINA ENTERPRISE CORPORATION TO BE ORGANIZED AS EITHER A FOR-PROFIT OR NONPROFIT CORPORATION, TO CORRECT CERTAIN DEFICIENCIES IN THE REQUIRED COMPOSITION OF NORTH CAROLINA ENTERPRISE CORPORATIONS BOARDS OF DIRECTORS, AND TO MAKE CONFORMING CHANGES IN THE NORTH CAROLINA ENTERPRISE CORPORATION ACT, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 779,** A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA BOARD OF EMPLOYEE ASSISTANCE PROFESSIONALS AND TO PROVIDE FOR THE LICENSING OF EMPLOYEE ASSISTANCE PROFESSIONALS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 919,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S GUN LAWS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1060, A BILL TO BE ENTITLED AN ACT AMENDING THE GENERAL STATUTES RELATING TO THE CONSOLIDATION OF CITIES AND COUNTIES AND CONSOLIDATED CITY-COUNTY TAXATION AND FINANCE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

S.B. 478, A BILL TO BE ENTITLED AN ACT TO COORDINATE ENFORCEMENT OF FEDERAL NURSING HOME REQUIREMENTS WITH STATE REQUIREMENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 502, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LICENSING AND REGISTRATION OF ASSISTED LIVING FACILITIES AND TO REPLACE THE ARCHAIC TERM "DOMICILIARY" CARE

WITH THE TERM "ADULT" CARE, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

NOTICES TO RECALL BILLS FROM COMMITTEE

Representative Fitch gives notice, pursuant to Rule 39, of his intent to recall **H.B. 838,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR SCHOOL-RELATED CAPITAL IMPROVEMENTS, from the Committee on Finance. He states that he has complied with all provisions of Rule 39.

Representative Barnes gives notice, pursuant to Rule 39, of her intent to recall **H.B. 771,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO LOCAL SCHOOL ADMINISTRATIVE UNITS FOR PUBLIC SCHOOL BUILDING CAPITAL PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, from the Committee on Finance. She states that she has complied with all provisions of Rule 39.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 836,** A BILL TO BE ENTITLED AN ACT TO EXPEDITE THE ENVIRONMENTAL PERMITTING PROCESS BY ALLOWING THE OPTION OF SUBMITTING PERMIT APPLICATIONS CERTIFIED BY A PROFESSIONAL ENGINEER AND ALLOWING THESE APPLICATIONS TO BE IMMEDIATELY SENT TO PUBLIC NOTICE AND HEARING AND SUBJECTED TO SIMULTANEOUS TECHNICAL REVIEW, AND TO INCREASE THE MAXIMUM AMOUNT OF THE FEE THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY ASSESS FOR PROCESSING AN APPLICATION FOR A PERMIT UNDER THE WATER AND AIR QUALITY PROGRAMS.

Representative McMahan offers Amendment No. 1 which is adopted by electronic vote (100-9).

Representative Yongue requests to be recorded as voting "aye" and this request is granted. The adjusted vote total is (101-9).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (87-22).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Allred, Baker, Barbee, Berry, Black, Bowie, Brawley, J. Brown, Buchanan, Capps, Carpenter, Clary, Cocklereece, Culp, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, R. Hunter, Ives, Justus, Kiser, Lemmond, Linney, Locke, McComas, McCombs, McCrary, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Wright - 74.

Voting in the negative: Representatives Adams, Alexander, Barnes, Beall, Bowen, Boyd-McIntyre, Crawford, Culpepper, Cummings, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hunt, H. Hunter, Hurley, Lee, Luebke, McAllister, McLaughlin, Michaux, G. Miller, Nye, Oldham, Ramsey, Shaw, Sutton, Warner, Watson, Womble, and Yongue - 36.

Excused absences: Representatives Blue, Braswell, Cansler, Church, G. Robinson, and Wainwright - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 642, A BILL TO BE ENTITLED AN ACT TO UPDATE THE FEE STRUCTURE OF THE NORTH CAROLINA BOARD FOR SOCIAL WORK, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie,

Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Carpenter, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Allred, Baker, Capps, Linney, K. Miller, Nichols, and Reynolds - 7.

Excused absences: Representatives Blue, Braswell, Cansler, Church, G. Robinson, and Wainwright - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 426,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (107-2).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Capps, Carpenter, Clary, Crawford, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, Miner, Mitchell, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly,

Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 101.

Voting in the negative: Representatives Boyd-McIntyre, Cocklereece, Culpepper, Lee, K. Miller, Rogers, and Wood - 7

Excused absences: Representatives Blue, Braswell, Cansler, Church, G. Robinson, and Wainwright - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 943,** A BILL TO BE ENTITLED AN ACT TO ADDRESS MOTOR FUEL TAX EVASION AND TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAXES BY CHANGING THE POINT OF TAXATION OF GASOLINE AND DIESEL FUEL, TO REPEAL THE MINIMUM HIGHWAY USE TAX, AND TO STRENGTHEN THE ENFORCEMENT OF THE ROAD TAX PAID BY MOTOR CARRIERS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, W. Brown, Buchanan, Capps, Carpenter, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Representatives Linney and K. Miller - 2.

Excused absences: Representatives Blue, Braswell, Cansler, Church, G. Robinson, and Wainwright - 6.

RE-REFERRALS

On motion of Representative Ellis and without objection, **S.B. 540,** A

BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTION OF ALL THE MEMBERS OF THE ROCKINGHAM CITY COUNCIL FOR FOUR-YEAR TERMS, is withdrawn from the Committee on Local and Regional Government I and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Ellis and without objection, **S.B. 725,** A BILL TO BE ENTITLED AN ACT TO EXEMPT RICHMOND COUNTY FROM CERTAIN RESTRICTIONS RELATING TO THE SALE OF HOSPITAL FACILITIES TO NONPROFIT CORPORATIONS, is withdrawn from the Committee on Local and Regional Government I and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Weatherly, the House adjourns at 6:30 p.m. to reconvene June 28 at 10:00 a.m.

EIGHTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 28, 1995

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, I was tired yesterday just listening to and observing the work here in the House, and I know that these good folks must be getting a little tired too. We all get tired, Father, and that is when we are most vulnerable to temptation and defeat. And, this is when we need Your Word and Your strength the most, like, 'Fear thou not for I am with thee, be not dismayed for I am thy God...' (Isaiah 41:10) or 'As thy day so shall thy strength be, and underneath are the everlasting arms.' (Deuteronomy 33: 25;27). Faith and work welded in prayer like a foreign student that one of our missionaries sent back to be trained at one of our schools. The student went out for track because his missionary had told him so much about it. He was good, so good that on campus he unofficially broke the state record for the mile. That year the track team went to the state finals for the first time in seven years. The last event was the mile, this boy's event.

'Win it and we win the state championship for the first time ever,' the coach had said. 'Just run your race.' But, stress and fear choked the young runner, and after two laps, he was last. Tears rolled down his cheeks, then something happened. His feet became wings and he flew across the finish line the winner. His coach shouted and cried. His teammates went bonkers. 'What happened, you were last but you won?' 'I prayed coach, I prayed,' he gasped. 'What did you pray?' his coach asked. He replied, 'I just said, Lord Jesus, if you'll pick them up, I'll put them down,' and the Lord and I ran and ran. Our Father, may those of us who believe claim this partnership in prayer both for ourselves and others here in the House for these remaining days. Through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 27 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (102-3).

Leaves of absence are granted Representatives Bowie, Braswell, and Wainwright for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 661, AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN MONTGOMERY COUNTY. (CHAPTER 337)

S.B. 685, AN ACT TO ALLOW THE CITY OF DURHAM TO REQUIRE CERTAIN ACTIONS OF ITS TRANSPORTATION AUTHORITY TO BE BY SUPERMAJORITY. (CHAPTER 338)

H.B. 682, AN ACT MAKING FURTHER SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN ORANGE AND CHATHAM COUNTIES. (CHAPTER 339)

H.B. 123, AN ACT TO REVISE THE CONTROLLED SUBSTANCE EXCISE TAX. (CHAPTER 340)

H.B. 505, AN ACT TO ALLOW THE CITIES OF GASTONIA, BELMONT, AND MOUNT HOLLY AND THE TOWN OF STANLEY TO MAKE CERTAIN ASSESSMENTS OUTSIDE THE CORPORATE LIMITS.

(CHAPTER 341)

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 534, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGULATING SURETY BONDSMEN, BAIL BONDSMEN, AND RUNNERS, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 723,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE, is read the first time and referred to the Committee on Public Utilities.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 422,** A BILL TO BE ENTITLED AN ACT TO PERMIT A NORTH CAROLINA ENTERPRISE CORPORATION TO BE ORGANIZED AS EITHER A FOR-PROFIT OR NONPROFIT CORPORATION, TO CORRECT CERTAIN DEFICIENCIES IN THE REQUIRED COMPOSITION OF NORTH CAROLINA ENTERPRISE CORPORATIONS BOARDS OF DIRECTORS, AND TO MAKE CONFORMING CHANGES IN THE NORTH CAROLINA ENTERPRISE CORPORATION ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer,

Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Bowie, Braswell, and Wainwright - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 779,** A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA BOARD OF EMPLOYEE ASSISTANCE PROFESSIONALS AND TO PROVIDE FOR THE LICENSING OF EMPLOYEE ASSISTANCE PROFESSIONALS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Hackney, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representatives Hensley and Linney - 2.

Excused absences: Representatives Bowie, Braswell, and Wainwright - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 919,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE FEDERAL BRADY HANDGUN VIOLENCE PROTECTION ACT.

Representative Daughtry offers Amendment No. 1.

The Chair rules the amendment to be material, thus constituting its first reading. Amendment No. 1 is adopted by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: Representatives Allred, Blue, Fitch, K. Miller, and Wood - 5.

Excused absences: Representatives Bowie, Braswell, and Wainwright - 3.

On motion of Representative Daughtry, the bill is ordered engrossed and re-referred to the Committee on Appropriations.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1060,** A BILL TO BE ENTITLED AN ACT AMENDING THE GENERAL STATUTES RELATING TO THE CONSOLIDATION OF CITIES AND COUNTIES AND CONSOLIDATED CITY-COUNTY TAXATION AND FINANCE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Bowie, Braswell, and Wainwright - 3.

House Committee Substitute for **S.B. 943,** A BILL TO BE ENTITLED AN ACT TO ADDRESS MOTOR FUEL TAX EVASION AND TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAXES BY CHANGING THE POINT OF TAXATION OF GASOLINE AND DIESEL FUEL, TO REPEAL THE MINIMUM HIGHWAY USE TAX, AND TO STRENGTHEN THE ENFORCEMENT OF THE ROAD TAX PAID BY MOTOR CARRIERS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey,

Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: Representative Linney.

Excused absences: Representatives Bowie, Braswell, and Wainwright - 3.

House Committee Substitute No. 2 for **S.B. 426,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW.

Representative Daughtry offers Amendment No. 2 which is adopted by electronic vote (112-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: Representative Wood.

Excused absences: Representatives Bowie, Braswell, and Wainwright - 3.

S.B. 642, A BILL TO BE ENTITLED AN ACT TO UPDATE THE FEE

STRUCTURE OF THE NORTH CAROLINA BOARD FOR SOCIAL WORK, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Brawley, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: Representatives Baker, Eddins, Edwards, Linney, and K. Miller - 5.

Excused absences: Representatives Bowie, Braswell, and Wainwright - 3.

Committee Substitute for **H.B. 913,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRELITIGATION MEDIATION OF FARM DISPUTES REGARDING NUISANCE CLAIMS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey,

Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Bowie, Braswell, and Wainwright - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 637,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE HENDERSONVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 694,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE GOLDSBORO FIREMEN'S SUPPLEMENTAL PENSION FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 706, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CABARRUS COUNTY TO ESTABLISH AN AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) AND FOOD STAMP WORKFARE PILOT PROGRAM AND AN ADJUNCT DEMONSTRATION PROGRAM MODIFYING THE JOBS PROGRAM.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 663,** A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FOR THE CITY OF WILMINGTON AND NEW HANOVER COUNTY FROM THE PUBLIC RECORDS ACT FOR CERTAIN GEOGRAPHICAL INFORMATION SYSTEMS; TO PROVIDE THAT THE MERGER OF THE ALAMANCE COUNTY SCHOOLS AND THE BURLINGTON CITY SCHOOLS MAY BECOME EFFECTIVE ONLY IF APPROVED BY THE VOTERS OF ALAMANCE COUNTY; TO REDUCE FROM ELEVEN TO SEVEN THE NUMBER OF GUILFORD COUNTY COMMISSIONERS AND TO REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS, SUBJECT TO A REFERENDUM; AND TO PROVIDE FOR PARTISAN ELECTIONS IN THE CITY OF HIGH POINT, IF APPROVED BY REFERENDUM.

On motion of the Chair, the bill is temporarily displaced.

On motion of the Chair, the House recesses at 10:37 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.B. 704, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE BOUNDARIES OF THE WEST END FIRE PROTECTION DISTRICT IN MOORE COUNTY, is read the first time and referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute No. 2 for **S.B. 223,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL RECORD CHECKS OF PUBLIC SCHOOL EMPLOYEES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 29.

House Committee Substitute for **S.B. 653,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE MEDICAL PRACTICE ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 29.

By Representatives Holmes, Creech, and Esposito for the Committee on Appropriations:

H.B. 228, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 29. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Berry for the Committee on Welfare Reform and Human Resources:

Committee Substitute for **H.B. 1043,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FULL EMPLOYMENT PROGRAM FOR RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) AND FOOD STAMPS, TO PROVIDE A NEW EMPLOYER TAX CREDIT AND TO APPROPRIATE FUNDS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1 and recommendation that Committee Substitute Bill No. 2 be re-referred to the Committee on Appropriations.

Committee Substitute Bill No. 2 is re-referred to the Committee on Appropriations. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 437,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET CONCERNING GOVERNMENT CONSTRUCTION CONTRACTS AND TO MAKE RELATED CHANGES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Senate Committee Substitute for **H.B. 661,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF FILLING A VACANCY ON THE HALIFAX COUNTY BOARD OF EDUCATION.

On motion of Representative Locke, the House does not concur in the Senate committee substitute, by electronic vote (107-0), and conferees are requested.

Senate Committee Substitute for **H.B. 905,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CIVIL REMEDIES AVAILABLE FOR RETURNED CHECKS.

On motion of Representative McCombs, the House concurs in the Senate committee substitute, by electronic vote (107-3), and the bill is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 694,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRIVATE SERVICE OF PROCESS IN WAKE COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney,

Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Wood - 108.

Voting in the negative: Representative R. Hunter.

Excused absences: Representatives Bowie, Braswell, Sutton, Wainwright, and Wright - 5.

Committee Substitute for **H.B. 239,** A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK AND UNION COUNTIES TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION.

On motion of Representative Owens, the House concurs in the material Senate amendment on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Bowie, Braswell, Sutton, Wainwright, and Wright - 5.

Senate Committee Substitute No. 2 for **H.B. 473,** A BILL TO BE ENTITLED AN ACT TO MAKE PROCEDURAL CHANGES AND

TECHNICAL CORRECTIONS TO THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT, TO ALLOW RETROACTIVE INDEMNIFICATION OF A MANAGER OR MEMBER OF A LIMITED LIABILITY COMPANY, AND TO EXTEND THE USURY EXEMPTION TO LIMITED LIABILITY COMPANIES AND PARTNERSHIPS.

On motion of Representative R. Hunter, the House concurs in Senate Committee Substitute No. 2, which changes the title, by electronic vote (106-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 496,** A BILL TO BE ENTITLED AN ACT TO CREATE AN OFFENSE OF COMMUNICATING THREATS TO A SCHOOL BUS DRIVER AND ASSAULTING A SCHOOL BUS DRIVER AND OTHER SCHOOL PERSONNEL.

On motion of Representative Sexton, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (108-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 762,** A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT DEPOSITIONS RECORDED BY SOUND-AND-VISUAL MEANS MUST BE TRANSCRIBED AND TO PROVIDE THAT, INSTEAD OF A TRANSCRIPTION, THE RECORDING MAY BE REVIEWED BY THE DEPONENT AND MAY BE USED AS THE COURT'S COPY OF THE DEPOSITION.

On motion of Representative Hensley, the House concurs in the Senate committee substitute, by electronic vote (107-2), and the bill is ordered enrolled.

Committee Substitute No. 2 for **H.B. 770,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF COUNTY SERVICE DISTRICTS FOR LAW ENFORCEMENT SERVICES AND TO CHANGE THE REQUIREMENTS FOR CREATION OF DISTRICTS COVERING THE ENTIRE UNINCORPORATED AREA OF A COUNTY.

On motion of Representative McMahan, the House concurs in the Senate amendment, by electronic vote (110-0), and the bill is ordered enrolled.

H.B. 846, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT STATE LEGISLATIVE AND CONGRESSIONAL REDISTRICTING

PLANS MAY NOT DIVIDE PRECINCTS UNLESS A PLAN HAS BEEN REJECTED UNDER SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AND IF SO REJECTED, ONLY THE MINIMUM NUMBER OF PRECINCTS ARE DIVIDED IN A SUBSEQUENT PLAN AS ARE REQUIRED TO OBTAIN APPROVAL.

On motion of Representative Mercer, the House concurs in the Senate amendment, by electronic vote (106-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 923,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CITIES MAY ALLOW PAWNBROKERS ONLY WITH A SPECIAL USE PERMIT.

On motion of Representative Blue, the House concurs in the Senate amendment, by electronic vote (110-2), and the bill is ordered enrolled.

House Committee Substitute for **S.B. 1021,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT HOME HEALTH AGENCIES ARE RESTRICTED TO SERVING PATIENTS WITHIN THEIR SERVICE AREA, passes its second reading by electronic vote (104-2).

Representative Crawford objects to the third reading. The bill remains on the Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar and Operations of the House:

S.B. 323, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OBSERVERS AT A PRECINCT'S VOTING PLACE NEED NOT BE REGISTERED VOTERS IN THAT PRECINCT BUT SHALL BE REGISTERED VOTERS IN THE COUNTY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 974, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURE WASTE TO BE CERTIFIED AS A WATER POLLUTION CONTROL SYSTEMS OPERATOR, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 1080,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY PLACING RESTRICTIONS ON THE SITING OF SWINE HOUSES AND LAGOONS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar for June 29. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

CONFEREES APPOINTED

The Speaker announces the following conferees on Senate Committee Substitute for **H.B. 661,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF FILLING A VACANCY ON THE HALIFAX COUNTY BOARD OF EDUCATION: Representatives Locke, Wilkins, Crawford, and Decker.

The Senate is so notified by Special Message.

Representative Morgan moves, seconded by Representative Black, that the House adjourn, subject to the receiving of the Finance Committee Report, to reconvene June 29, at 11:00 a.m. The motion carries.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee are presented:

By Representatives Gray, Arnold, and C. Wilson for the Committee on

Finance:

S.B. 563, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND TO CLARIFY THE ZONING JURISDICTION OF THE TOWN OF HUNTERSVILLE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 29.

S.B. 704, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE BOUNDARIES OF THE WEST END FIRE PROTECTION DISTRICT IN MOORE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 29.

The House stands adjourned at 4:55 p.m.

NINETIETH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 29, 1995

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

" 'It is a good thing to give thanks unto the Lord, and to sing praises unto Thy name. O most high: To shew forth Thy loving kindness in the morning, and Thy faithfulness every night.' (Psalm 92: 1-2). Father, these are different days, not our normal rhythm, but filled with stops and starts, and strategy galore. All the political drama that one could want is here. The Appropriations Committee is having almost as hard a time getting its final act together as a confirmed bachelor does getting to the altar. Help them, Lord. But then, I was reminded yesterday that while we have been praying for the Senators and Representatives that we should be praying for the poor taxpayers because, one way or another, they will be paying for all this stuff. And so, Lord, please help them to make ends meet or we will be in bad trouble. But

what concerns me more is what the final biographical sketch will reveal. 'Son, what are you drawing?' I asked my five year old. 'I'm drawing a picture of God.' I questioned further, 'Will people be able to know that it is a picture of God?' Very confidently he replied, 'When I finish with Him they will.' Profound reality from the lips of a child. Father, we are all conveyers of value, whether of God, ourselves, or law. As this session winds to a close, what value will our law reveal? Will it uplift and enhance man's civility, or will it contribute to man's addiction and delinquency sometimes disguised in another garment? What will my legislative drawing reveal? Will I have to explain the picture or will it be evident to all who see? It's crunch time, Lord, so please protect the taxpayer and help me. In Thy name. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 28 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-2).

Representatives Redwine and Neely request that they be recorded as voting "aye". These requests are granted. The adjusted vote total is (103-2).

A leave of absence is granted Representative Braswell for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 339, AN ACT TO GRANT ADDED POWERS TO THE STANLY AIRPORT AUTHORITY RELATED TO CONSTRUCTING AN INDUSTRIAL PARK. (CHAPTER 342)

S.B. 637, AN ACT TO REPEAL THE HENDERSONVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND. (CHAPTER 343)

S.B. 642, AN ACT TO UPDATE THE FEE STRUCTURE OF THE NORTH CAROLINA BOARD FOR SOCIAL WORK. (CHAPTER 344)

S.B. 694, AN ACT TO REPEAL THE GOLDSBORO FIREMEN'S SUPPLEMENTAL PENSION FUND. (CHAPTER 345)

H.B. 437, AN ACT TO PROVIDE FOR THE STATE OF NORTH

CAROLINA TO ESTABLISH A STATE VETERANS HOME PROGRAM IN THE DIVISION OF VETERANS AFFAIRS OF THE DEPARTMENT OF ADMINISTRATION. (CHAPTER 346)

H.B. 552, AN ACT TO CLOSE A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO LARGE URBAN CITIES WHERE THE OWNER OF SUBSTANDARD PROPERTY CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH THE UNIT BY SIMPLY CLOSING IT. (CHAPTER 347)

H.B. 574, AN ACT TO INCORPORATE THE TOWN OF LAND HARBOR. (CHAPTER 348)

H.B. 768, AN ACT TO PROVIDE THAT THE HIGHWAY USE TAX TRADE-IN ALLOWANCE APPLIES WHEN TWO CARS ARE EXCHANGED FOR ONE ANOTHER. (CHAPTER 349)

H.B. 1058, AN ACT TO MAKE CONFORMING CHANGES TO THE TAX LAW IN LIGHT OF FEDERAL LAW PREEMPTING STATE REGULATION OF MOST MOTOR FREIGHT CARRIERS. (CHAPTER 350)

H.B. 473, AN ACT TO MAKE PROCEDURAL CHANGES AND TECHNICAL CORRECTIONS TO THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT, TO ALLOW RETROACTIVE INDEMNIFICATION OF A MANAGER OR MEMBER OF A LIMITED LIABILITY COMPANY, TO EXTEND THE USURY EXEMPTION TO LIMITED LIABILITY COMPANIES AND PARTNERSHIPS, TO AMEND THE PROFESSIONAL CORPORATION ACT, AND TO MAKE CONFORMING CHANGES TO THE REAL ESTATE LICENSE LAW. (CHAPTER 351)

H.B. 496, AN ACT TO CREATE AN OFFENSE OF ASSAULTING A SCHOOL BUS DRIVER AND OTHER SCHOOL PERSONNEL BOARDING OR ON A SCHOOL BUS. (CHAPTER 352)

H.B. 762, AN ACT TO REMOVE THE REQUIREMENT THAT DEPOSITIONS RECORDED BY SOUND-AND-VISUAL MEANS MUST BE TRANSCRIBED AND TO PROVIDE THAT, INSTEAD OF A TRANSCRIPTION, THE RECORDING MAY BE REVIEWED BY THE DEPONENT AND MAY BE USED AS THE COURT'S COPY OF THE DEPOSITION. (CHAPTER 353)

H.B. 770, AN ACT TO AUTHORIZE THE CREATION OF COUNTY SERVICE DISTRICTS FOR LAW ENFORCEMENT SERVICES AND TO CHANGE THE REQUIREMENTS FOR CREATION OF DISTRICTS COVERING THE ENTIRE UNINCORPORATED AREA OF A COUNTY. (CHAPTER 354)

H.B. 846, AN ACT TO PROVIDE THAT STATE LEGISLATIVE AND CONGRESSIONAL REDISTRICTING PLANS MAY NOT DIVIDE PRECINCTS UNLESS A PLAN HAS BEEN REJECTED UNDER SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AND IF SO REJECTED, ONLY THE MINIMUM NUMBER OF PRECINCTS ARE DIVIDED IN A SUBSEQUENT PLAN AS ARE REQUIRED TO OBTAIN APPROVAL. (CHAPTER 355)

H.B. 905, AN ACT TO CLARIFY THE CIVIL REMEDIES AVAILABLE FOR RETURNED CHECKS. (CHAPTER 356)

H.B. 923, AN ACT TO PROVIDE THAT CERTAIN CITIES MAY ALLOW PAWNBROKERS ONLY WITH A SPECIAL USE PERMIT. (CHAPTER 357)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.B. 525, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE HEALTH DIRECTOR TO PREPARE A MEDICAL AND HEALTH BENEFITS PLAN, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Bowie and Barbee for the Permanent Subcommittee on Transportation:

H.B. 1042, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS FOR THE DEPARTMENT OF TRANSPORTATION TO CONDUCT AN ENVIRONMENTAL IMPACT STUDY OF THE O'NEAL-ROCKWOOD CONNECTOR IN THE CITY OF BURLINGTON, reported to the Standing Committee on Appropriations, with a favorable recommendation.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 443,** A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL REAL ESTATE APPRAISERS TO BE LICENSED AND TO PROVIDE FOR THE REGISTRATION OF TRAINEE REAL ESTATE APPRAISERS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 555,** A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA BOXING COMMISSION, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

House Committee Substitute No. 2 for **S.B. 52,** A BILL TO BE ENTITLED AN ACT TO CLARIFY PUBLIC TRUST PURPOSES ASSOCIATED WITH WHARVES, DOCKS, PIERS, MARINAS, AND OTHER STRUCTURES THAT MAY BE LOCATED IN WHOLE OR PART OVER SUBMERGED LANDS OWNED BY THE STATE, TO IMPLEMENT RECOMMENDATIONS FROM THE STATE-OWNED SUBMERGED LANDS ADVISORY COMMITTEE, AND TO AMEND THE PROVISIONS OF CHAPTER 146 CONCERNING SUBMERGED LANDS, with a favorable report as to House Committee Substitute Bill No. 3, which changes the title, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 3 is placed on the Calendar. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 155, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A TEMPORARY LICENSE PLATE THAT IS VALID FOR UP TO SIXTY DAYS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 237,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE USE VALUE TAX LAW, TO UPDATE THE LAW TO CONFORM TO MODERN FAMILY PROPERTY TRANSACTIONS, AND TO EXPAND THE CATEGORY OF RELATIVES WHO MAY QUALIFY FOR USE VALUE PROPERTY TRANSFERS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 453, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE PROSPECTIVE TEACHERS SCHOLARSHIP LOAN PROGRAM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 798,** A BILL TO BE ENTITLED AN ACT AUTHORIZING SANITARY DISTRICTS TO PROVIDE STREETS AND LAW ENFORCEMENT SERVICES AND ALLOWING SMALL SANITARY DISTRICTS TO COMPENSATE BOARD MEMBERS IN THE SAME MANNER AS LARGE SANITARY DISTRICTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 63,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SPECIALTY LICENSE FOR TRANSPORT REFRIGERATION CONTRACTORS, TO CHANGE THE COMPOSITION

OF THE LICENSING BOARD, AND TO AMEND OTHER PROVISIONS OF THE LAW GOVERNING REFRIGERATION CONTRACTORS, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 30.

Committee Substitute for **H.B. 142,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES RELATING TO THE REPEAL OF THE INTANGIBLES TAX AND TO OTHER TAX LAWS, is returned for concurrence in Senate amendment and placed on the Calendar for June 30.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Holmes, Esposito, and Creech for the Committee on Appropriations:

House Committee Substitute for **S.B. 864,** A BILL TO BE ENTITLED AN ACT TO REQUIRE DOMICILIARY CARE HOMES TO SUBMIT ANNUAL AUDITED REPORTS OF ACTUAL COSTS AND TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES TO ADOPT RULES TO ENSURE QUALITY OF CARE IN DOMICILIARY CARE HOMES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

S.B. 293, A BILL TO BE ENTITLED AN ACT TO PERMIT THE IMPORTATION AND BOTTLING OF SPIRITUOUS LIQUOR WITHIN FOREIGN TRADE ZONES LOCATED AT THE WILMINGTON AND MOREHEAD CITY PORTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 396,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE REGULATED ARRANGEMENTS AMONG PHYSICIANS WHEN THE ARRANGEMENT WILL HELP CONTROL COSTS, IMPROVE ACCESS, IMPROVE QUALITY, OR IMPLEMENT MANDATED HEALTH CARE REFORMS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 681, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH GREENSBORO MAY USE THE PROCEEDS OF ITS LOCAL OCCUPANCY TAX, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 689,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE OLYMPIC GAMES AND SQUARE DANCE CLUBS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 752,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES THAT HAVE PROTECTED MOUNTAIN RIDGES TO ESTABLISH COUNTY SERVICE DISTRICTS TO PROVIDE FOR CERTAIN ROAD NEEDS OF THE DISTRICT AND TO ALLOW UNDER CERTAIN CIRCUMSTANCES THE MAINTENANCE OF PUBLIC ROADS LYING OUTSIDE THE DISTRICT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 878, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN AIRPORT BOARDS AND COMMISSIONS TO OWN, OPERATE, AND FINANCE THE PURCHASE AND IMPROVEMENT OF WATER AND WASTEWATER SYSTEMS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

CALENDAR

Action is taken on the following:

House Committee Substitute for **S.B. 1021,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT HOME HEALTH AGENCIES ARE RESTRICTED TO SERVING PATIENTS WITHIN THEIR SERVICE AREA, passes its third reading, by electronic vote (108-1), and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 858,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING CONTRACTS FOR SCHOOL ADMINISTRATORS, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 228,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FEDERAL BLOCK GRANT FUNDS AND TO EXTEND CERTAIN EXPIRING PROVISIONS.

Representative Creech offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (110-3), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate without engrossment by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 563,** A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND TO CLARIFY THE ZONING JURISDICTION OF THE TOWN OF HUNTERSVILLE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds,

Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: Representatives Allred, Berry, Capps, Creech, Ellis, Sherrill, and Wood - 7.

Excused absence: Representative Braswell.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 704, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE BOUNDARIES OF THE WEST END FIRE PROTECTION DISTRICT IN MOORE COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absence: Representative Braswell.

Committee Substitute for **H.B. 1060,** A BILL TO BE ENTITLED AN ACT AMENDING THE GENERAL STATUTES RELATING TO THE CONSOLIDATION OF CITIES AND COUNTIES AND CONSOLIDATED CITY-COUNTY TAXATION AND FINANCE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absence: Representative Braswell.

Senate Committee Substitute for **H.B. 994,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY CHANGING VARIOUS REVENUE STATUTES.

On motion of Representative Lemmond, the House concurs in the Senate committee substitute, by electronic vote (115-0), and the bill is ordered enrolled.

House Committee Substitute for **S.B. 663,** A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FOR THE CITY OF WILMINGTON AND NEW HANOVER COUNTY FROM THE PUBLIC RECORDS ACT FOR CERTAIN GEOGRAPHICAL INFORMATION SYSTEMS; TO PROVIDE THAT THE MERGER OF THE ALAMANCE COUNTY SCHOOLS AND THE BURLINGTON CITY SCHOOLS MAY BECOME EFFECTIVE ONLY IF APPROVED BY THE VOTERS OF ALAMANCE COUNTY; TO REDUCE FROM ELEVEN TO SEVEN THE NUMBER OF GUILFORD COUNTY COMMISSIONERS AND TO REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS, SUBJECT TO A REFERENDUM; AND TO PROVIDE FOR PARTISAN ELECTIONS IN THE CITY OF HIGH POINT, IF APPROVED BY REFERENDUM.

Under Rule 42, Representative Adams raises a Point of Order since the bill had previously been placed on the Unfavorable Calendar.

On motion of the Chair, the bill is temporarily displaced.

Committee Substitute No. 2 for **H.B. 836,** A BILL TO BE ENTITLED AN ACT TO EXPEDITE THE ENVIRONMENTAL PERMITTING PROCESS BY ALLOWING THE OPTION OF SUBMITTING PERMIT APPLICATIONS CERTIFIED BY A PROFESSIONAL ENGINEER AND ALLOWING THESE APPLICATIONS TO BE IMMEDIATELY SENT TO PUBLIC NOTICE AND HEARING AND SUBJECTED TO SIMULTANEOUS TECHNICAL REVIEW, AND TO INCREASE THE MAXIMUM AMOUNT OF THE FEE THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY ASSESS FOR PROCESSING AN APPLICATION FOR A PERMIT UNDER THE WATER AND AIR QUALITY PROGRAMS.

Representative Hackney offers Amendment No. 2 which is adopted by electronic vote (60-52).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives W. Brown, Hill, and Sherrill - 3.

Excused absence: Representative Braswell.

Committee Substitute No. 3 for **H.B. 540,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF EIGHT HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF HE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND, is before the Body with Amendment No. 4 pending.

On motion of the Chair, the bill with pending Amendment No. 4 is temporarily displaced.

Committee Substitute for **H.B. 479,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO ELECT THE OPTIONAL AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) FRAUD CONTROL PROGRAM AND TO PROVIDE FOR INCENTIVES AND AUTOMATION FOR AFDC FRAUD COLLECTION.

The bill, as amended, passes its third reading, by electronic vote (105-2), and is ordered engrossed and sent to the Senate by Special Message.

S.B. 701, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STATE BOARD OF EDUCATION FROM ADOPTING OR ENFORCING ANY RULE THAT REQUIRES ALGEBRA I AS A GRADUATION STANDARD OR AS A REQUIREMENT FOR A HIGH SCHOOL DIPLOMA FOR STUDENTS WHO ARE IDENTIFIED AS LEARNING DISABLED IN THE AREA OF MATHEMATICS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO SUSPEND THE APPLICATION OF THIS RULE TO THESE STUDENTS.

Representative Russell offers Amendment No. 1 which is adopted by electronic vote (108-0).

Representative Wood calls the previous question on the passage of the bill and the call is sustained by electronic vote (102-10).

The bill, as amended, passes its third reading, by electronic vote (105-7), and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Committee Substitute No. 3 for **H.B. 540,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF EIGHT HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE,

SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF HE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND, which was temporarily displaced with pending Amendment No. 4, is before the Body.

Representative Shaw calls the previous question on the amendment and the call is sustained by electronic vote (91-20).

Amendment No. 4 is adopted by electronic vote (61-54).

Representative Allred offers Amendment No. 6 which fails of adoption by electronic vote (52-58).

Representative McLaughlin offers Amendment No. 7 which is adopted by electronic vote (96-17).

Representative Decker offers Amendment No. 8.

Representative Decker calls the previous question on the amendment and the call is sustained by electronic vote (93-23).

Amendment No. 8 fails of adoption by electronic vote (28-88).

Representative Lemmond offers Amendment No. 9.

Representative Lemmond calls the previous question on the amendment and the call is sustained by electronic vote (80-28).

Amendment No. 9 fails of adoption by electronic vote (32-79).

Representative Baker offers Amendment No. 10.

Representative Morgan calls the previous question on the amendment and the call is sustained by electronic vote (87-28).

Amendment No. 10 is adopted by electronic vote (67-49).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry,

Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Dickson, Dockham, Earle, Easterling, Edwards, Ellis, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: Representatives Barnes, Blue, Culpepper, Davis, Decker, Eddins, Esposito, Fitch, Hackney, Luebke, McCombs, Michaux, Ramsey, Rogers, and Warner - 15.

Excused absence: Representative Braswell.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

S.B. 388, A BILL TO BE ENTITLED AN ACT TO AMEND THE PESTICIDE LAW, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 511,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN LATE CHARGES FOR THE LATE RETURN OF RENTED PROPERTY ARE SUBJECT TO SALES TAX AND TO PROVIDE FOR TREBLE DAMAGES IN A CIVIL ACTION TO ENFORCE PAYMENT OF CERTAIN LATE CHARGES FOR THE LATE RETURN OF A RENTED VIDEO CASSETTE TAPE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 159,** A BILL TO BE ENTITLED AN ACT TO REWRITE CHAPTER 48 OF THE GENERAL STATUTES RELATING TO ADOPTION AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 229, A BILL TO BE ENTITLED AN ACT TO REMOVE IMPEDIMENTS AND DISINCENTIVES TO DONATING CONSERVATION LAND OR PRESERVATION STRUCTURES OR SITES, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Arnold, House Committee Substitute for **S.B. 388,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PESTICIDE LAW, is withdrawn from the Calendar and re-referred to the Committee on Health and Environment by electronic vote (69-32).

On motion of the Chair, the House recesses at 2:00 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 228, AN ACT TO APPROPRIATE FEDERAL BLOCK GRANT

FUNDS AND TO EXTEND CERTAIN EXPIRING PROVISIONS. (CHAPTER 358)

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Holmes, Esposito and Creech for the Committee on Appropriations:

H.B. 230, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 30 as a Special Order of Business. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

House Committee Substitute for **S.B. 320,** A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM CUSTODIAL TRUST ACT AND TO MAKE CONFORMING AMENDMENTS TO THE POWER OF ATTORNEY STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its third reading, by electronic vote (113-0), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute No. 2 for **S.B. 26,** A BILL TO BE ENTITLED AN ACT TO ENABLE LOCAL BOARDS OF EDUCATION TO EXPEL FROM SCHOOL THOSE STUDENTS WHOSE CONTINUED PRESENCE IN SCHOOL CONSTITUTES A CLEAR THREAT TO THE SAFETY OF OTHER STUDENTS OR EMPLOYEES.

Representative Wright offers Amendment No. 4 which fails of adoption by electronic vote (49-66).

Representative Russell calls the previous question on the passage of the bill and the call is sustained by electronic vote (87-28).

The bill, as amended, passes its third reading, by electronic vote (94-20), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

House Committee Substitute for **S.B. 412,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW CONCERNING THE FEDERAL PREEMPTION OF STATE USURY LAWS AND TO RAISE THE MAXIMUM LATE PAYMENT CHARGE FOR REVOLVING CREDIT LOANS.

Pursuant to Rule 24.1A(c), the request that Representative Locke be excused from voting on June 20 is continued.

Representative Shaw requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its third reading, by electronic vote (94-16), and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 166,** A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS OF LAW THAT REGULATE ATTORNEYS-AT-LAW.

Representative Linney offers Amendment No. 7 which is adopted by electronic vote (94-17).

The bill, as amended, passes its third reading, by electronic vote (111-2), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Committee Substitute No. 2 for **H.B. 352,** A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EARLIER DATE FOR THE PRESIDENTIAL AND OTHER PRIMARIES AND TO REIMBURSE THE COUNTIES FOR POSTAGE IN THE DELIVERY OF CERTIFICATIONS OF CANDIDACY AND RESULTS OF PRIMARIES AND ELECTIONS AND TO REMOVE

THE EXCUSE REQUIREMENT FROM ABSENTEE VOTING.

Representative Cansler offers Amendment No. 1 which is adopted by electronic vote (91-17).

Representatives Alexander, Warner, and Fitch state that their voting equipment malfunctioned and request that they be recorded as voting "aye". These requests are granted. The adjusted vote total is (94-17).

The bill, as amended, passes its second reading by electronic vote (72-44).

Representative Kiser objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 929,** A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA RULES OF CIVIL PROCEDURE REGARDING SERVICE OF PROCESS AND DEPOSITIONS IN A FOREIGN COUNTRY AND THE DETERMINATION OF FOREIGN LAW TO BE APPLIED IN CERTAIN CIVIL ACTIONS, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 341, A BILL TO BE ENTITLED AN ACT TO BRING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM INTO COMPLIANCE WITH THE INTERNAL REVENUE CODE AND TO BRING THE SUPPLEMENTAL RETIREMENT INCOME PLANS FOR STATE AND LOCAL LAW ENFORCEMENT OFFICERS INTO COMPLIANCE WITH THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 415,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS AND TO LIMIT THE SIMULTANEOUS CONVERSION/MERGERS OF MUTUAL AND STOCK INSTITUTIONS.

On motion of Representative R. Hunter, the bill is temporarily displaced.

Committee Substitute for **H.B. 239,** A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK AND UNION COUNTIES TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION.

On motion of Representative Owens, the House concurs in the material Senate amendment, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Braswell and Nye - 2.

Committee Substitute No. 2 for **H.B. 422,** A BILL TO BE ENTITLED AN ACT TO PROMOTE ECONOMIC DEVELOPMENT BY REMOVING TECHNICAL REQUIREMENTS FOR THE FORMATION OF NORTH CAROLINA ENTERPRISE CORPORATIONS, AUTHORIZING THE FORMATION OF NONPROFIT ENTERPRISE CORPORATIONS, AND PROHIBITING AN ENTERPRISE CORPORATION FROM INVESTING IN

A BUSINESS CONTROLLED BY OR RELATED TO A PERSON WHO HAS INVESTED IN ENTERPRISE CORPORATION, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Braswell and Nye - 2.

Committee Substitute for **H.B. 779,** A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA BOARD OF EMPLOYEE ASSISTANCE PROFESSIONALS AND TO PROVIDE FOR THE LICENSING OF EMPLOYEE ASSISTANCE PROFESSIONALS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols,

Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: Representative Linney.

Excused absences: Representatives Braswell and Nye - 2.

CONFERENCE REPORT

Representative Wright moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 645

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 645, A BILL TO BE ENTITLED AN ACT TO MAKE STATEWIDE A LOCAL ACT PROVIDING THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF OPEN CONTAINERS OF MALT BEVERAGES AND UNFORTIFIED WINE ON PUBLIC PROPERTY AND THE POSSESSION OF MALT BEVERAGES AND UNFORTIFIED WINE ON PUBLIC STREETS, ALLEYS, OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS, AND FURTHER DEFINING PUBLIC PROPERTY AND OPEN CONTAINER, Senate Judiciary II/Election Laws Committee Substitute Adopted 6/13/95, Fourth Edition Engrossed 6/14/95, submit the following report:

The House concurs in the Senate Judiciary II/Election Laws Committee Substitute Adopted 6/13/95, Fourth Edition Engrossed 6/14/95, with the following amendments:

(1) On page 1, line 18, delete "by pedestrians" and on page 1, line 19 immediately after the word "county" and add "by persons who are not occupants of motor vehicles"; and

(2) On page 2 line 2, strike through "by pedestrians" and on page 2 line 3 immediately after the word "county" add "by persons who are not occupants of motor vehicles".

The Senate agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 26, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Wib Gulley	S/ Thomas E. Wright
S/ Luther Henry Jordan, Jr.	S/ Charles B. Neely, Jr.
S/ Hamilton C. Horton, Jr.	S/ George S. Robinson

The Conference Report, which changes the title, is adopted by electronic vote (101-5), and the Senate is so notified by Special Message.

The Senate having adopted the Conference Report, the Speaker orders the bill enrolled.

CALENDAR (continued)

S.B. 325, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DISTRICT ATTORNEY'S DESIGNEE OR A SPECIAL PROSECUTOR TO REQUEST THAT AN INVESTIGATIVE GRAND JURY BE CONVENED TO CONSIDER CERTAIN ALLEGED VIOLATIONS OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT, passes its second reading, by electronic vote (99-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 415,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS AND TO LIMIT THE SIMULTANEOUS CONVERSION/MERGERS OF MUTUAL AND STOCK INSTITUTIONS, which was temporarily displaced, is before the Body.

Representative Tallent offers Amendment No. 1 which is adopted by electronic vote (107-0).

Representative Blue requests that he be excused from voting on this bill

under Rule 24.1A and this request is granted.

Representative Allred offers Amendment No. 2.

Representative Allred withdraws his amendment.

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (93-15).

Representative Shaw requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill, as amended, passes its second reading by electronic vote (104-6).

Representative Allred objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 29, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 1078,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL BOARDS OF EDUCATION TO HAVE MATERIALS POSTED TO EDUCATE STUDENTS ABOUT THE MORAL, ETHICAL, AND VIRTUOUS PRINCIPLES OF THE WORLD'S RELIGIONS AND THE GREAT PHILOSOPHERS OF CIVILIZATION, which proposes to change the title, upon concurrence, to read **S.B. 1078** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE INSTRUCTION IN CHARACTER EDUCATION, and requests conferees. The President Pro Tempore appoints:

Senator Odom, Chairman
Senator Plexico
Senator Little
Senator Cochrane
Senator Soles

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Wood, Eddins, Cummings, Black, and Shubert as conferees on the part of the House and the Senate is so notified by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 941,** A BILL TO BE ENTITLED AN ACT TO CONFORM THE PROVISIONS OF THE PUBLIC UTILITIES CHAPTER OF THE GENERAL STATUTES TO THE FEDERAL PREEMPTION OF STATE REGULATION OF INTRASTATE TRANSPORTATION OF PROPERTY EXCEPT HOUSEHOLD GOODS AND TO THE FEDERAL PREEMPTION OF STATE REGULATION OF WIRELESS TELECOMMUNICATIONS CARRIERS, AND TO INCREASE THE APPLICATION FEE, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 30.

House Committee Substitute for **S.B. 974,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURAL BY-PRODUCTS TO BE CERTIFIED, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

On motion of the Chair and without objection, House Committee Substitute Bill No. 2 is re-referred to the Committee on Rules, Calendar, and Operations of the House. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

On motion of Representative Morgan, seconded by Representative

Luebke, the House adjourns at 6:25 p.m. to reconvene June 30 at 9:30 a.m.

NINETY-FIRST DAY

HOUSE OF REPRESENTATIVES
Friday, June 30, 1995

The House meets at 9:30 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, thank You for this moment to pause and to be grateful, to thank You for life, our families, our friends, and for the opportunity to seek to serve the people of North Carolina. Thank You, Father, for the refreshing peace of restful sleep. Thank You too for what we have been able to accomplish thus far during this session, and help us with that which lies ahead. We have made our plans, plotted our strategy, crafted our amendments, and defined our objectives, but, Father, we know that without Your help nothing of substantial consequence can be accomplished. Perhaps the greatest challenge that lies ahead is the proposed budgets that are before us. We will attack them from the vantage point of our particular parties, and our own personal convictions, as well we should, but when the vote is called and the final consensus is recorded, may they be as You will them to be. And, may each one of us be able to look in our mirrors at the close of this day into the face of the one whose image we see there and not be ashamed.

'To each man is given his work to do,
And each man his place to be,
And mystery binds us to some grand plan
Nor eye nor mind can see.

I am not here because I will it so,
Though t'was my decision so to be,
But an invisible hand stamped on me his plan
In my fetal nativity.

And so I am drawn to return through these ways,
To a prescribed and detailed destiny,

To give an account of how well I have done,
With this pattern His hand stamped on me.'

Through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 29 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-3).

Leaves of absence are granted Representativesas Braswell, Decker, and Wainwright for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 1021, AN ACT TO CLARIFY THAT HOME HEALTH AGENCIES ARE RESTRICTED TO SERVING PATIENTS WITHIN THEIR SERVICE AREA. (CHAPTER 359)

H.B. 994, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY CHANGING VARIOUS REVENUE STATUTES. (CHAPTER 360)

S.B. 341, AN ACT TO BRING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM INTO COMPLIANCE WITH THE INTERNAL REVENUE CODE AND TO BRING THE SUPPLEMENTAL RETIREMENT INCOME PLANS FOR STATE AND LOCAL LAW ENFORCEMENT OFFICERS INTO COMPLIANCE WITH THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT. (CHAPTER 361)

S.B. 325, AN ACT TO ALLOW THE DISTRICT ATTORNEY'S DESIGNEE OR A SPECIAL PROSECUTOR TO REQUEST THAT AN INVESTIGATIVE GRAND JURY BE CONVENED TO CONSIDER CERTAIN ALLEGED VIOLATIONS OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT. (CHAPTER 362)

H.B. 239, AN ACT TO EXTEND THE AUTHORITY OF CURRITUCK AND UNION COUNTIES TO ACQUIRE SCHOOL PROPERTY SO THAT IT APPLIES BEGINNING JANUARY 1, 1995. (CHAPTER 363)

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Holmes, Creech, and Esposito for the Committee on Appropriations:

Committee Substitute for **H.B. 490,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNUAL REPORTS OF BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, TO ESTABLISH FEES FOR EXPEDITED FILINGS, TO PROVIDE THAT NONPROFIT RELIGIOUS CORPORATIONS ARE NOT REQUIRED TO FILE ANNUAL REPORTS, AND TO ALLOW THE SECRETARY OF STATE TO RETAIN FILED DOCUMENTS IN REPRODUCED FORM, with a favorable report as to Committee Substitute Bill No. 3, which changes the title, unfavorable as to Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), Committee Substitute Bill No. 3 is placed on the Calendar for July 1. Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute for **H.B. 774,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE PRACTICES BETWEEN AND AMONG PHYSICIANS AND MID-LEVEL HEALTH CARE PROVIDERS, is returned for concurrence in two Senate amendments and placed on the Calendar for July 1.

Committee Substitute for **S.B. 931,** A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFEGUARDS TO REDUCE THE CHANCES AND LESSEN THE EFFECTS OF WORKERS' COMPENSATION SELF-

INSURANCE INSOLVENCIES AND APPROPRIATE FUNDS TO IMPLEMENT THIS ACT, is read the first time and referred to the Committee on Business and Labor.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 537,** A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, is returned for concurrence in Senate committee substitute, which is ruled material, and placed on the Calendar for July 1.

Upon concurrence, the Senate committee substitute changes the title.

H.B. 873, A BILL TO BE ENTITLED AN ACT TO LIMIT THE SUBSTANCES THAT APPLICATORS OF PESTICIDES ARE AUTHORIZED TO APPLY AND TO PROVIDE FOR THE PESTICIDE APPLICATOR'S LICENSE TO BE REVOKED, SUSPENDED, OR DENIED FOR VIOLATING THIS LIMITATION, is returned for concurrence in Senate Amendment No. 2 and placed on the Calendar for July 1.

H.B. 970, A BILL TO BE ENTITLED AN ACT TO PERMIT EMPLOYERS TO CONDUCT ON-SITE DRUG TESTING UNDER CERTAIN CIRCUMSTANCES, is returned for concurrence in Senate amendment and placed on the Calendar for July 1.

Committee Substitute for **S.B. 631,** A BILL TO BE ENTITLED AN ACT TO ALLOW INDIVIDUALS TO CONTRIBUTE INCOME TAX REFUNDS TO THE HIGHWAY WILDFLOWER FUND, is read the first time and referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute No. 3 for **S.B. 52,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF CHAPTER 146 CONCERNING SUBMERGED LANDS OR LANDS COVERED BY NAVIGABLE WATERS, is withdrawn from the Calendar and re-referred to the Committee on Health and Environment.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 142,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES RELATING TO THE REPEAL OF THE INTANGIBLES TAX AND TO OTHER TAX LAWS.

On motion of Representative C. Wilson, the House concurs in the Senate amendment, by electronic vote (102-1), and the bill is ordered enrolled.

Committee Substitute for **S.B. 563,** A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND TO CLARIFY THE ZONING JURISDICTION OF THE TOWN OF HUNTERSVILLE, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: Representatives Berry, Creech, K. Miller, Sherrill, and Wood - 5.

Excused absences: Representatives Braswell, Decker, and Wainwright - 3.

S.B. 704, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE BOUNDARIES OF THE WEST END FIRE PROTECTION DISTRICT IN MOORE COUNTY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Braswell, Decker, and Wainwright - 3.

SPECIAL ORDER OF BUSINESS

Committee Substitute for **H.B. 230,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE EXPANSION EXPENDITURES AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Representative Holmes offers Amendment No. 1 which is adopted.

Representative Holmes offers Amendment No. 2 which is adopted.

Representative Barnes offers Amendment No. 3 which is adopted.

Representative Daughtry offers Amendment No. 4.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (87-28).

Amendment No. 4 is adopted by electronic vote (116-1).

Representative Daughtry offers Amendment No. 5.

Representative Fitch inquires of the Chair if Amendment No. 5 is germane to the bill. The Chair rules Amendment No. 5 is germane.

On motion of Representative Daughtry, Amendment No. 5 is temporarily displaced.

Representative Daughtry offers Amendment No. 6.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (88-20).

Amendment No. 6 is adopted by electronic vote (111-1).

Representative Barnes states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (112-0).

Representative Howard offers Amendment No. 7 which is adopted by electronic vote (99-3).

Representative Holmes offers Amendment No. 8 which is adopted.

Representative R. Hunter offers Amendment No. 9.

On motion of Representative Daughtry, seconded by Representative Berry, Amendment No. 9 is tabled by electronic vote (64-49).

Representative R. Hunter offers Amendment No. 10.

On motion of Representative Hayes, seconded by Representative Creech, Amendment No. 10 is tabled by electronic vote (62-49).

Representative Rogers offers Amendment No. 11.

On motion of Representative Morgan, seconded by Representative Ellis, Amendment No. 11 is tabled by electronic vote (57-50).

Representative Michaux offers Amendment No. 12.

On motion of Representative Morgan, seconded by Representative Neely, Amendment No. 12 is tabled by electronic vote (64-48).

Representative Michaux offers Amendment No. 13.

On motion of Representative Holmes, seconded by Representative Berry, Amendment No. 13 is tabled by electronic vote (66-48).

Representative Wilkins offers Amendment No. 14.

On motion of Representative Daughtry, seconded by Representative Creech, Amendment No. 14 is tabled by electronic vote (65-49).

Representative Redwine offers Amendment No. 15.

On motion of Representative Brawley, seconded by Representative Morgan, Amendment No. 15 is tabled by electronic vote (66-46).

Representative Redwine offers Amendment No. 16.

On motion of Representative Mitchell, seconded by Representative Morgan, Amendment No. 16 is tabled by electronic vote (63-54).

Representative McComas states that his voting equipment malfunctioned and he requests to be recorded as voting "no". The adjusted vote total is (62-55).

Representative Adams offers Amendment No. 17.

On motion of Representative Creech, seconded by Representative Daughtry, Amendment No. 17 is tabled by electronic vote (66-46).

Representative Adams offers Amendment No. 18.

On motion of Representative Holmes, seconded by Representative Dockham, Amendment No. 18 is tabled by electronic vote (66-48).

Representative Sutton offers Amendment No. 19.

On motion of Representative Daughtry, seconded by Representative Creech, Amendment No. 19 is tabled by electronic vote (65-48).

Representative Sutton offers Amendment No. 20.

On motion of the Chair, Amendment No. 20 is temporarily displaced.

On motion of the Chair, the House recesses at 1:22 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 563, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND TO CLARIFY THE ZONING JURISDICTION OF THE TOWN OF HUNTERSVILLE. (CHAPTER 364)

S.B. 704, AN ACT TO REDEFINE THE BOUNDARIES OF THE WEST END FIRE PROTECTION DISTRICT IN MOORE COUNTY. (CHAPTER 365)

H.B. 645, AN ACT TO MAKE STATEWIDE A LOCAL ACT PROVIDING THAT LOCAL GOVERNMENTS MAY REGULATE THE POSSESSION OF OPEN CONTAINERS OF MALT BEVERAGES AND UNFORTIFIED WINE ON PUBLIC PROPERTY AND THE POSSESSION OF MALT BEVERAGES AND UNFORTIFIED WINE ON PUBLIC STREETS, ALLEYS, OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS, AND FURTHER DEFINING PUBLIC PROPERTY AND OPEN CONTAINER. (CHAPTER 366)

S.B. 437, AN ACT TO REPEAL THE SUNSET CONCERNING GOVERNMENT CONSTRUCTION CONTRACTS AND TO MAKE RELATED CHANGES. (CHAPTER 367)

S.B. 706, AN ACT TO AUTHORIZE CABARRUS COUNTY TO ESTABLISH AN AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) AND FOOD STAMP WORKFARE PILOT PROGRAM AND AN ADJUNCT DEMONSTRATION PROGRAM MODIFYING THE JOBS PROGRAM. (CHAPTER 368)

S.B. 858, AN ACT TO CLARIFY THE LAW REGARDING

CONTRACTS FOR SCHOOL ADMINISTRATORS. (CHAPTER 369)

H.B. 142, AN ACT TO MAKE TECHNICAL CHANGES RELATING TO THE REPEAL OF THE INTANGIBLES TAX AND TO OTHER TAX LAWS. (CHAPTER 370)

CALENDAR (continued)

House Committee Substitute for **H.B. 230,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE EXPANSION EXPENDITURES AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Amendment No. 20, which was temporarily displaced, is before the Body.

Representative Sutton withdraws Amendment No. 20.

Representatives Holmes calls the previous question on the passage of the bill and the call is sustained by electronic vote (69-40).

The bill, as amended, passes its second reading by electronic vote (76-36).

Representative Black objects to the third reading. The bill remains on the Calendar.

Representatives Hightower and McCrary state that their voting equipment malfunctioned and request to be recorded as voting "no". These requests are granted and the adjusted vote total is (76-38).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 597, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT WHO IS CONVICTED OF A DRUG TRAFFICKING CONSPIRACY IS NOT ELIGIBLE FOR INTERMEDIATE SANCTIONS UNDER THE STRUCTURED SENTENCING ACT, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

POINT OF PERSONAL PRIVILEGE

Representative Fitch makes the following remarks and requests that they be entered in the Journal. Without objection, the Speaker so orders.

"Thank you very much, Mr. Speaker and members of the House. We have heard this morning about how twenty million dollars to raid public schools to fund private academies got into this bill. We are told it was a mistake.

"We now must take our Chairman's word for it, that is was indeed a mistake that somehow twenty million dollars ended up in here to fund a bill that even Jim Martin says would threaten the integrity of our public schools.

"Ladies and Gentlemen of the House, that twenty million dollars wasn't a mistake, **this whole ill-conceived, secretly written, class warfare, anti-education budget itself is a mistake.**

"This document, this bill, is a mean-spirited political manifesto, not a spending plan to improve the quality of life in our state.

"It was designed for a thirty second television ad about how this General Assembly spent less money than last year. That is all it is.

"It may spend less money, but it is devastatingly expensive in human terms for millions of people in North Carolina.

"This budget sends one message. The leadership of this House wants a campaign issue more than they want to help the people who are struggling in our state.

"This bill abolishes the Health Planning Commission. The subcommittee chairman's explanation is that the need is not as great as it was last session.

"I think that chairman needs to tell a woman in Cabarrus County who can't get insurance because she has diabetes that the need isn't as great as it was last session.

"I think that chairman needs to tell a laid off factory worker who finds out he's got a kidney problem and is going bankrupt that the need is not as great as it was last session.

"More than one million people in our state have no health insurance, and millions more could lose it tomorrow if they switch jobs, or get sick enough

or their employers decides to hire on a contract and eliminate their benefits.

"I think that subcommittee chairman needs to tell those people that the need is not as great as it was last session.

"This bill sends a message to the people of this state that a contract and television commercial are more important than your children's schools and our state's future.

This bill sends a message to the parents of students in our university system that they will be penalized and those students hurt if the universities dare to bring any controversial speakers to campus. Maybe next session we can re-enact the Speaker Ban Law and be done with it.

"This crass campaign manifesto sends a message to the historically black universities that we don't care that you remain far behind in the allocation of capital money to build classrooms and libraries.

"It sends a message to our black college students that we don't care about the facilities you use. We just need a new Convocation Center in Boone.

"This budget before us today spends as much money on bribing corporations to come to North Carolina as it does on minority economic and community development, programs that have turned abandoned buildings into community centers and turned hopeless neighborhoods into caring and compassionate safe-havens.

"This budget sends a signal to our teachers and our state workers, that even in this time of prosperity, we don't want you to be able to support your families, so we won't pay you enough to keep up with inflation.

"This budget reduces the class size at community colleges, but leaves class size too large in elementary schools.

"And of course this budget reflects the tax cuts that we passed earlier in this session so we could line up and congratulate ourselves on television in front of the red carpet.

"We cut the taxes for millionaires, and we gave the average family with children ten or twenty dollars a month.

"If those children go to a state university, this budget tuition increase takes that money away.

"If that family can't afford health care, this budget takes any chance of designing a universal health care plan away.

"If that family has children in the first grade, this budget takes any chance of a smaller class and more individual attention away.

"If that family has a state employee, this budget guarantees that inflation will take that measly tax cut away.

"Mr. Speaker and members of the House, we didn't do anything for the working people in this state a few months ago when we passed our tax cuts and we didn't do anything for them in this bill, except make their lives more difficult so we could brag about spending less money.

"This budget is the worst budget in my career as a member of the General Assembly. **It is the final battle in this class war. And the working people just lost again to ambitious and gleefully mean-spirited politicians who want to brag on television about a contract and ignore the suffering all round them.**

"It is not too late, Ladies and Gentlemen, you still have a chance to stop this insanity.

"You still have a chance to vote against crass, divisive politics.

"Vote against this budget and show the people of this state you care about more than just millionaires and campaign contributions and crass political ads.

"Vote against this budget and show them it's not the needs of this state that are less this session, it's the compassion of this leadership that is.

"Thank you."

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 558,** A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR EXPEDITED EVICTION OF PERSONS ENGAGED IN DRUG-RELATED CRIMINAL ACTIVITY AND OTHER CRIMINAL ACTIVITY THAT THREATENS THE HEALTH, SAFETY, OR PEACEFUL ENJOYMENT OF RENTAL PROPERTY, passes its second reading by electronic vote (108-0).

Representative Shaw objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 865,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE LAWS REGARDING THE PURCHASE OF A HANDGUN TO CONFORM TO THE REQUIREMENTS OF THE "BRADY HANDGUN VIOLENCE PREVENTION ACT".

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 242,** A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA NONPROFIT CORPORATION ACT AND TO MAKE A CONFORMING AMENDMENT TO THE BUSINESS CORPORATION ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading by electronic vote (109-0).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 243,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE POWER OF A PERSONAL REPRESENTATIVE TO SETTLE CLAIMS FOR WRONGFUL DEATH, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading by electronic vote (108-0).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 559,** A BILL TO BE ENTITLED AN ACT

TO PROVIDE THAT ACCEPTANCE OF RENT BY A HOUSING AUTHORITY IS NOT A WAIVER OF DEFAULT AND TO AUTHORIZE HOUSING AUTHORITIES TO GOVERN ENTRY UPON HOUSING AUTHORITY PROPERTY BY GUESTS AND VISITORS.

On motion of Representative Blue, Committee Amendment No. 1 is adopted by electronic vote (108-4).

On motion of Representative Capps, Committee Amendment No. 2 is adopted by electronic vote (110-1).

Representative Daughtry offers Amendment No. 3 which is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendments by Special Message.

S.B. 899, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN FINANCIAL INSTITUTIONS' RECORDS ARE CONFIDENTIAL.

Pursuant to Rule 24.1A(c), the requests that Representatives Shubert, Locke, Blue, and Edwards be excused from voting on June 20 are continued.

Representative G. Miller offers Amendment No. 1 which is adopted by electronic vote (102-2).

The bill, as amended, passes its second reading, by electronic vote (98-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1001,** A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PROPERTY TAX NONCOMMERCIAL MOTOR VEHICLES THAT ARE THIRTY YEARS OLD OR OLDER AND ARE MAINTAINED FOR USE IN EXHIBITIONS, CLUB ACTIVITIES,

PARADES, AND OTHER PUBLIC INTEREST FUNCTIONS.

Representatives Brawley, Shubert, and Hightower request that they be excused from voting on this bill under Rule 24.1A. Representative K. Miller requests that he be excused from voting under Rule 24.1A because he is in the automotive business. These requests are granted.

Representative Luebke moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Finance.

Representative Allred moves, seconded by Representative Nichols, that the motion be tabled. The motion fails by electronic vote (48-59).

Representative Morgan calls the previous question on the motion to re-refer the bill to the Committee on Finance and the call is sustained by electronic vote (73-34).

The motion to re-refer fails by electronic vote (42-65).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (67-38).

Representative Luebke inquires of the Chair if a fiscal note was requested on this bill. The Speaker states that only the Chairs of the Committees on Appropriations, Finance, and Rules, Calendar, and Operations of the House can request fiscal notes upon the floor of the House..

The bill passes its second reading, by electronic vote (67-41).

Representative Allred objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF OBJECTIONS TO THIRD READINGS

Representative Hackney withdraws his objection to the third reading of Committee Substitute for **S.B. 242,** A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA NONPROFIT CORPORATION ACT AND TO MAKE A CONFORMING AMENDMENT TO THE BUSINESS CORPORATION ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Representative Daughtry offers Amendment No. 1 which is adopted by

electronic vote (107-1).

The bill, as amended, passes its third reading, by electronic vote (111-0), and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Representative Hackney withdraws his objection to the third reading of Committee Substitute for **S.B. 243,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE POWER OF A PERSONAL REPRESENTATIVE TO SETTLE CLAIMS FOR WRONGFUL DEATH, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (110-1).

The bill, as amended, passes its third reading, by electronic vote (111-0), and is ordered sent to the Senate for concurrence in House amendment by Special Message.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1052,** A BILL TO BE ENTITLED AN ACT TO REQUIRE RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) TO PARTICIPATE IN EMPLOYMENT/WORKFARE AND TO APPROPRIATE FUNDS.

Representative Howard offers Amendment No. 1 which is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading, by electronic vote (99-8), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 1012,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND THE CLEANUP OF LEAKING

PETROLEUM UNDERGROUND STORAGE TANKS, passes its second reading by electronic vote (103-1).

Representative Wright objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 530, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY PUBLISH A NOTICE OF A ROAD CLOSURE HEARING RATHER THAN PUBLISHING THE FULL ROAD CLOSURE RESOLUTION AS CURRENTLY REQUIRED BY LAW, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 751, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TREATMENT OR SERVICES RENDERED BY CERTIFIED FEE-BASED PRACTICING PASTORAL COUNSELORS SHALL BE REIMBURSABLE UNDER THE STATE HEALTH PLAN AND OTHER HEALTH INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES.

On motion of Representative Hensley, Committee Amendment No. 1 is adopted by electronic vote (108-2).

Representative Dockham offers Amendment No. 2 which is adopted by electronic vote (104-3).

The bill, as amended, passes its second reading by electronic vote (102-6).

Representative Nichols objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 357, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT OF MAKING QUARTERLY REPORTS OF MILEAGE OF STATE VEHICLES ASSIGNED TO THE DEPARTMENT AND TO ALLOW ASSIGNMENTS

OF VEHICLES TO THE DEPARTMENT TO BE REVOKED ONLY WHEN THE DEPARTMENT CONSENTS.

Representative Pate offers Amendment No. 1 which is adopted by electronic vote (102-2).

On motion of Representative Ellis and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 15,** A BILL TO BE ENTITLED AN ACT TO FURTHER STREAMLINE THE STATUTES SO AS TO CLARIFY THE CONSTITUTIONAL ROLE OF THE STATE BOARD OF EDUCATION.

On motion of Representative Russell and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 423, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE VOCATIONAL REHABILITATION/INDEPENDENT LIVING PROGRAM FOR PEOPLE WITH DISABILITIES, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 896,** A BILL TO BE ENTITLED AN ACT TO ENHANCE THE INVESTIGATIVE CAPABILITIES OF LAW ENFORCEMENT IN CASES OF DRUG TRAFFICKING AND OTHER SERIOUS CRIMES BY PERMITTING THE USE OF ELECTRONIC SURVEILLANCE IN LIMITED CIRCUMSTANCES, passes its second reading, by electronic vote (103-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 990, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MORE EFFECTIVE ADMINISTRATIVE PERMIT REVIEW UNDER THE COASTAL AREA MANAGEMENT ACT.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted by electronic vote (105-0).

Representative Sexton requests to be recorded as voting "aye" and this request is granted. The adjusted vote total is (106-0).

The bill, as amended, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 987,** A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSE OF CONTINUING CRIMINAL ENTERPRISE WITH REGARD TO CRIMINAL OFFENSES THAT ARE NOT DRUG OFFENSES, TO PROVIDE THAT FAILURE OF CERTAIN MERCHANTS TO PRODUCE A RECORD OR AFFIDAVIT WITH CERTAIN INFORMATION INDICATING THE SOURCE OF THE MERCHANT'S PRODUCTS AND TO SHOW THE RECORD OR AFFIDAVIT TO A LAW ENFORCEMENT OFFICER UPON REQUEST IS PRIMA FACIE EVIDENCE THAT THE PRODUCTS ARE STOLEN AND TO MAKE OTHER CHANGES.

Representative Neely offers Amendment No. 1 which is adopted by electronic vote (108-0).

Representative Neely calls the previous question on the passage of the bill and the call is sustained by electronic vote (78-23).

The bill, as amended, passes its second reading, by electronic vote (87-16), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 200,** A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 2 OF CHAPTER 119 OF THE GENERAL STATUTES REGARDING THE REGULATION OF REREFINED OR REPROCESSED OIL, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **S.B. 223,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL RECORD CHECKS OF PUBLIC SCHOOL EMPLOYEES, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

Representative Esposito requests that she be recorded as voting "aye" on the second reading and this request is granted. The adjusted vote total is (104-1).

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 653,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE MEDICAL PRACTICE ACT, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 1080,** A BILL TO BE ENTITLED AN ACT TO PLACE CERTAIN RESTRICTIONS ON THE SITING OF SWINE HOUSES AND LAGOONS.

Representative Nichols requests that he be excused from voting on this bill under Rule 24.1A due to a possible conflict of interest and this request is

granted.

The bill passes its second reading, by electronic vote (106-3).

Representative Richardson objects to the third reading. The bill remains on the Calendar.

Senate Committee Substitute for **H.B. 63,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SPECIALTY LICENSE FOR TRANSPORT REFRIGERATION CONTRACTORS, TO CHANGE THE COMPOSITION OF THE LICENSING BOARD, AND TO AMEND OTHER PROVISIONS OF THE LAW GOVERNING REFRIGERATION CONTRACTORS.

On motion of Representative Hill, the House concurs in the Senate committee substitute, by electronic vote (103-1), and the bill is ordered enrolled.

Committee Substitute No. 3 for **H.B. 540,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF EIGHT HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND.

The Chair rules Amendment No. 10, which was adopted June 29, to be material, thus constituting the first reading of the bill.

Representative Lemmond offers Amendment No. 11.

Representative Barnes inquires of the Chair if Amendment No. 11 is material. The Chair rules Amendment No. 11 not to be material.

Amendment No. 11 fails of adoption by electronic vote (24-84).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Beall, Black, Bowen, Bowie, Boyd-McIntyre, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Cummings, Cunningham, Daughtry, Dickson, Dockham, Earle, Easterling, Edwards, Ellis, Fitch, Fox,

Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, Luebke, McAllister, McComas, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Shaw, Shubert, Sutton, Tallent, Thompson, Tolson, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 95.

Voting in the negative: Representatives Arnold, Barnes, Berry, Creech, Culpepper, Davis, Eddins, Esposito, Hackney, Hensley, Lemmond, Linney, McCombs, Michaux, Nichols, Rogers, and Warner - 17.

Excused absences: Representatives Braswell, Decker, Redwine, and Wainwright - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 443,** A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL REAL ESTATE APPRAISERS TO BE LICENSED AND TO PROVIDE FOR THE REGISTRATION OF TRAINEE REAL ESTATE APPRAISERS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Bowie, Boyd-McIntyre, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 103.

Voting in the negative: Representative Wood.

Excused absences: Representatives Braswell, Decker, Redwine, and

Wainwright - 4.

Representative Neely requests to be recorded as voting "aye" and this request is granted. The adjusted vote total is (104-1).

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Arnold and without objection, Committee Substitute No. 2 for **H.B. 555,** A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA BOXING COMMISSION, is withdrawn from the Calendar and placed on the Calendar of July 4.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 511,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN LATE CHARGES FOR THE LATE RETURN OF RENTED PROPERTY ARE SUBJECT TO SALES TAX AND TO PROVIDE FOR TREBLE DAMAGES IN A CIVIL ACTION TO ENFORCE PAYMENT OF CERTAIN LATE CHARGES FOR THE LATE RETURN OF A RENTED VIDEO CASSETTE TAPE.

Representative Weatherly offers Amendment No. 1 which is adopted by electronic vote (105-1).

Representative Cansler offers Amendment No. 2 which is adopted by electronic vote (105-3).

The Chair rules Amendment No. 2 to be material, thus constituting its first reading, and the bill is placed on the Calendar of July 1 for its second roll call reading.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 941,** A BILL TO BE ENTITLED AN ACT TO CONFORM THE PROVISIONS OF THE PUBLIC UTILITIES CHAPTER OF THE GENERAL STATUTES TO THE FEDERAL PREEMPTION OF STATE REGULATION OF INTRASTATE TRANSPORTATION OF PROPERTY EXCEPT HOUSEHOLD GOODS AND TO THE FEDERAL PREEMPTION OF STATE REGULATION OF WIRELESS TELECOMMUNICATIONS CARRIERS, AND TO INCREASE

THE APPLICATION FEE.

On motion of Representative G. Miller, Committee Amendment No. 1 is adopted by electronic vote (104-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representative Creech.

Excused absences: Representatives Braswell, Decker, Redwine, and Wainwright - 4.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Wright withdraws his objection to the third reading of **S.B. 1012,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS.

Representative K. Miller objects to the third reading of **S.B. 1012,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS, and the bill remains on the Calendar.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Wood and without objection, Committee Substitute No. 2 for **H.B. 352,** A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EARLIER DATE FOR THE PRESIDENTIAL AND OTHER PRIMARIES AND TO REIMBURSE THE COUNTIES FOR POSTAGE IN THE DELIVERY OF CERTIFICATIONS OF CANDIDACY AND RESULTS OF PRIMARIES AND ELECTIONS AND TO REMOVE THE EXCUSE REQUIREMENT FROM ABSENTEE VOTING, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Wood and without objection, House Committee Substitute for **S.B. 415,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS AND TO LIMIT THE SIMULTANEOUS CONVERSION/MERGERS OF MUTUAL AND STOCK INSTITUTIONS, is withdrawn from the Calendar and placed on the Calendar of July 5.

CALENDAR (continued)

Committee Substitute for **S.B. 15,** A BILL TO BE ENTITLED AN ACT TO FURTHER STREAMLINE THE STATUTES SO AS TO CLARIFY THE CONSTITUTIONAL ROLE OF THE STATE BOARD OF EDUCATION, which was temporarily displaced, is before the Body.

Representative Hensley inquires of the Chair if the effective date of the bill can be retroactive.

On motion of the Chair, the bill is temporarily displaced.

S.B. 357, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT OF MAKING QUARTERLY REPORTS OF MILEAGE OF STATE VEHICLES ASSIGNED TO THE DEPARTMENT AND TO ALLOW ASSIGNMENTS OF VEHICLES TO THE DEPARTMENT TO BE REVOKED ONLY WHEN THE DEPARTMENT CONSENTS, which was temporarily displaced, is before the Body.

The bill, as amended, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

House Committee Substitute for **S.B. 865,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE LAWS REGARDING THE PURCHASE OF A HANDGUN TO CONFORM TO THE REQUIREMENTS OF THE "BRADY HANDGUN VIOLENCE PREVENTION ACT".

Representative Linney offers Amendment No. 1 which is adopted by electronic vote (107-2).

Representative Linney requests that the following remarks be entered in the Journal pursuant to Article II, Section 18 of the North Carolina Constitution.

"Pursuant to North Carolina Constitution Article II, Section 18, the following statement sets forth my reasons for dissenting to Senate Bill #865: The Brady Bill is a federal law restricting the sale and purchase of handguns. It provides the 'floor' or the minimum restrictions. To 'opt-out' from its provisions would permit a state to enact more stringent restrictions on such sale and purchase of handguns.

"I am of the opinion that enactment of more restrictive provisions on the sale and purchase of handguns is injurious to 'persons' in the state of North Carolina.

"My objection is tenable notwithstanding the confirmed fact that the reference to 'person' on page 1, line 9, is consistent with North Carolina General Statutes Section 12-3 (6) and inconsistent with the more general meaning of the term 'person' in the North Carolina Constitution; and is applicable only within Federal areas located in the sovereign state of North Carolina.

"In addition, I am of the opinion, as was confirmed by Steve Rose, legal counsel for the Judiciary I Committee, that this bill does not change the judicial interpretation of the term 'person'."

The bill, as amended, passes its second reading, by electronic vote (102-8), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special

Message.

WITHDRAWAL OF OBJECTIONS TO THIRD READINGS

Representative Nichols withdraws his objection to the third reading of **S.B. 751,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TREATMENT OR SERVICES RENDERED BY CERTIFIED FEE-BASED PRACTICING PASTORAL COUNSELORS SHALL BE REIMBURSABLE UNDER THE STATE HEALTH PLAN AND OTHER HEALTH INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES.

The bill, as amended, passes its third reading, by electronic vote (102-9), and is ordered sent to the Senate for concurrence in House amendments by Special Message.

Representative K. Miller withdraws his objection to the third reading of Committee Substitute for **S.B. 1012,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS.

The bill passes its third reading, by electronic vote (111-2), and is ordered enrolled.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Neely for the Committee on Judiciary II:

S.B. 792, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FORFEITURE ROLL FOR BAIL BONDS ORDERED FORFEITED IN THE DISTRICT COURT MAY BE HEARD IN THE DISTRICT COURT, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Hayes and Gardner for the Permanent Subcommittee

on Human Resources:

H.B. 402, A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF ALL FOSTER PARENTS IN LICENSED FAMILY FOSTER HOMES AND TO APPROPRIATE FUNDS, reported to the Standing Committee on Appropriations, with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill.

H.B. 403, A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF CHILD DAY CARE PROVIDERS, TO STUDY THE USE OF THE CENTRAL REGISTRY ON CHILD ABUSE AND NEGLECT, AND TO APPROPRIATE FUNDS, reported to the Standing Committee on Appropriations, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 30, 1995

Mr. Speaker:

Pursuant to your message received Thursday, June 29, 1995 that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 661,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF FILLING A VACANCY ON THE HALIFAX COUNTY BOARD OF EDUCATION, which proposes to change the title, upon concurrence, to read **H.B. 661** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FILL THE VACANCY ON THE HALIFAX COUNTY BOARD OF EDUCATION, and requests conferees, the President Pro Tempore appoints:

Senator Ballance, Chairman
Senator Cooper
Senator Jordan
Senator Carrington

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 30, 1995

Mr. Speaker:

On **S.B. 56** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL ANTIQUATED, OBSOLETE, OR UNCONSTITUTIONAL LAWS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CONFERENCE REPORT

Representative Daughtry sends forth the Conference Report on House Committee Substitute for **S.B. 56,** A BILL TO BE ENTITLED AN ACT TO REPEAL ANTIQUATED, OBSOLETE, OR UNCONSTITUTIONAL LAWS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 1.

RECALL FROM ENROLLING

On motion of Representative Hayes, **S.B. 423,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE VOCATIONAL REHABILITATION/INDEPENDENT LIVING PROGRAM FOR PEOPLE WITH DISABILITIES, is recalled from Enrolling.

Representative Hayes, having voted with the prevailing side, moves that the vote by which the bill passed its third reading be reconsidered. This motion carries.

Representatives Hayes offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its third reading, by electronic vote (108-0), and is ordered sent to the Senate for concurrence in House amendment by Special Message.

RE-REFERRAL

On motion of Representative Holmes, pursuant to Rule 39.2, **S.B. 815,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO VOTING PRECINCTS, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Appropriations, Subcommittee on General Government.

On motion of Representative Morgan, seconded by Representative Gardner, the House adjourns at 5:35 p.m. to reconvene July 1 at 8:30 a.m.

NINETY-SECOND DAY

HOUSE OF REPRESENTATIVES
Saturday, July 1, 1995

The House meets at 8:30 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, to be honest with You, I'm not absolutely sure why I'm standing here at 8:30 a.m. on a Saturday morning praying with this bunch of folks when I could be at the Thresher's Reunion at Denton looking at some of Representative Allred's antique cars, or eating some of that sweet smelling barbecue. Then, on the other hand, Representative Arnold has just about talked me into going into the counseling business, provided I can snitch enough money from the trust fund to open my office. I don't know, Father, after being with these folks since January, strange things seem to be happening in my head. Up to now I thought folks were in just two classes spiritually, saints and sinners, lost and saved, but I was wrong. There are three: saints, sinners, and politicians. Mentally, I thought there were just the sane and

insane. I was wrong again; there are three, the sane, the insane, and politicians. Biologically, I was wrong too. I thought that my wife's family was small. Not so, everybody here must be her cousin, because like her, these folks argue about everything. After yesterday, Lord, I know that these folks are a bit strange; that is in the old meaning of the word. They started at 9:30 a.m., argued, fussed, debated, scolded each other, verbally knocked the stuffing out of one another, then later came up to each other, put their arms around each other's shoulders and just smiled and patted and laughed. I don't know, Lord, whether that was turning the other cheek, or politicians' roulette. Then, Lord, at 5:30 p.m., they were still as happy as a bunch of teenagers at a Senior Prom, laughing, giggling, wishing each other happy birthday, and munching on refreshments. I told You, Lord, these folks love what they are doing, and nobody normal loves what they are doing that much unless it's sinful. So, Lord, maybe You ought to check into this stuff. Father, I told You they were different. You or somebody zonked them with 'Morbus Politicitus', and there is where it all started. Before that disease struck here in the new world, America was a Paradise. Sure, in the beginning there were no taxes, the women did all the work, and the men just hunted and fished. The red man was pretty smart. See, Lord, I told You that things have gotten all mixed up, and You are even willing for a nut like me to pray. Just kidding, Lord, these are great folks, and I love them, and they are doing a good job. Please continue to bless them for in blessing them You'll be blessing all of us. Through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 30 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (104-5).

Leaves of absence are granted Representatives Braswell, Church, Clary, Decker, Hightower, and Wood for today.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 832,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MEANING OF CRITICAL HABITAT AND TO LIMIT THE DESIGNATION OF CRITICAL HABITAT BY THE WILDLIFE RESOURCES COMMISSION, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 5.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **H.B. 844,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAW, is returned for concurrence in two Senate amendments and placed on the Calendar for July 5.

S.B. 116, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PROVIDING FOR THE DEFENSE OF STATE EMPLOYEES FROM TORT CLAIMS ARISING IN THE SCOPE OR COURSE OF THEIR EMPLOYMENT, is read the first time and referred to the Committee on Judiciary I.

S.J.R. 515, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FRANKLIN "FRANK" W. HOWEY, SR., OF UNION COUNTY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 955, A BILL TO BE ENTITLED AN ACT PROHIBITING THE UNAUTHORIZED USE OF WIRELESS TELECOMMUNICATIONS SERVICES AND ESTABLISHING CIVIL AND CRIMINAL PENALTIES FOR ACTS RELATING TO SUCH USE, is read the first time and referred to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

SPECIAL ORDER OF BUSINESS

Committee Substitute for **H.B. 230,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE EXPANSION EXPENDITURES AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Representative Daughtry offers Amendment 21.

Representative Hunt requests that he be excused from voting on this amendment under Rule 24.1A and this request is granted.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (71-40).

Representative W. Brown states that his voting equipment malfunctioned and he requests to be recorded as voting "no". This request is granted. The adjusted vote total is (71-41).

Amendment No. 21 is adopted by electronic vote (71-37).

Representative W. Brown states that his voting equipment malfunctioned and he requests to be recorded as voting "no". This request is granted. The adjusted vote total is (71-38).

Representative Boyd-McIntyre offers Amendment No. 22.

On motion of Representative Creech, seconded by Representative Morgan, Amendment No. 22 is tabled by electronic vote (60-45).

Representative Boyd-McIntyre offers Amendment No. 23.

On motion of Representative Creech, seconded by Representative Kiser, Amendment No. 23 is tabled by electronic vote (64-45).

Representative Alexander offers Amendment No. 24.

On motion of Representative Hayes, seconded by Representative Nichols, Amendment No. 24 is tabled by electronic vote (65-49).

Representative Blue offers Amendment No. 25.

On motion of Representative Creech, seconded by Representative Berry, Amendment No. 25 is tabled by electronic vote (61-49).

Representative Daughtry offers Amendment No. 26 which is adopted by electronic vote (108-5).

Representative Blue offers Amendment No. 27.

On motion of Representative Daughtry, seconded by Representative Creech, Amendment No. 27 is tabled by electronic vote (62-50).

Representative Blue offers Amendment No. 28.

On motion of Representative Creech, seconded by Representative Berry, Amendment No. 28 is tabled by electronic vote (60-52).

Representative R. Hunter offers Amendment No. 29.

On motion of Representative Justus, seconded by Representative Dockham, Amendment No. 29 is tabled by electronic vote (65-47).

Representative Shaw offers Amendment No. 30.

Representative Warner requests that he be excused from voting on this amendment under Rule 24.1A and this request is granted.

On motion of Representative Creech, seconded by Representative Nichols, Amendment No. 30 is tabled by electronic vote (63-45).

Representative Luebke offers Amendment No. 31.

On motion of Representative Justus, seconded by Representative Thompson, Amendment No. 31 is tabled by electronic vote (61-48).

Representative Daughtry offers Amendment No. 32 which is adopted by electronic vote (101-7).

Representative Holmes calls the previous question on the passage of the bill and the call is sustained by electronic vote (73-40).

The bill, as amended, passes its third reading, by electronic vote (77-37), and is ordered engrossed and sent to the Senate by Special Message.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute No. 2 for **H.B. 352,** A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EARLIER DATE FOR THE PRESIDENTIAL AND OTHER PRIMARIES AND TO REIMBURSE THE COUNTIES FOR POSTAGE IN THE DELIVERY OF CERTIFICATIONS OF CANDIDACY AND RESULTS OF PRIMARIES AND ELECTIONS AND TO REMOVE THE EXCUSE REQUIREMENT FROM ABSENTEE VOTING, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 5.

Committee Substitute for **S.B. 345,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS, with a favorable report as to House Committee Substitute Bill No. 3, unfavorable as to House Committee Substitute Bill No. 2, and recommendation that the House Committee Substitute Bill No. 3 be re-referred to the Committee on Finance.

House Committee Substitute Bill No. 3 is re-referred to the Committee on Finance. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 540, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTION OF ALL THE MEMBERS OF THE ROCKINGHAM CITY COUNCIL FOR FOUR-YEAR TERMS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 570,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE TO STUDY WHETHER THE EXTENSION OF AN INTERSTATE NATURAL GAS PIPELINE SHOULD BE ENCOURAGED BY EXEMPTING GENERATION FACILITIES SERVED BY THAT PIPELINE FROM REGULATION AS PUBLIC UTILITIES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 725, A BILL TO BE ENTITLED AN ACT TO EXEMPT RICHMOND COUNTY FROM CERTAIN RESTRICTIONS RELATING TO THE SALE OF HOSPITAL FACILITIES TO NONPROFIT CORPORATIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

RE-REFERRAL

On motion of Representative Dickson, pursuant to Rule 39.2, Committee

Substitute for **S.B. 723,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE, is withdrawn from the Committee on Public Utilities and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative Kiser, the House adjourns at 11:00 a.m. to reconvene Wednesday, July 5, 1995, at 4:00 p.m.

NINETY-THIRD DAY

HOUSE OF REPRESENTATIVES

Wednesday, July 5, 1995

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, it was good to attend our country's birthday party once again, number 218 I believe, to hear the bands, see the parades, and even to ride in one ourselves. Shaking hands, greeting friends, and politicking in the good old American way. Sure I know that she isn't perfect, if she was we wouldn't be necessary. She needs a bit of fixing, some adjusting to the changes that come. That is why we gather here every other year so that we can do the job. Laws change, but the principle stays the same. 'We hold these truths to be self evident that all men are created equal and are endowed by their Creator with certain inalienable rights....' We hear their voices echo down the corridors of our minds, we share the pride, and fear, and pain of keeping her free. We disagree too, on maybe how she parts her hair, and does her work, but we never disagree on the Lady. 'My Country, tis of Thee; Sweet Land of Liberty, of Thee I sing....', and if we are wise, we gather to worship and to pray, and to sing:

'God of our Fathers, whose almighty hand,
Leads forth in beauty all the starry band,
Be Thou our Ruler, Guardian, Guide, and Stay,

Thy Word our Law, Thy path our chosen way.'

"God bless America, her scars reveal her character, and her health reflects Your blessing, our hard work, and our pride. Father, bless us now as we regroup for these last days, and as we seek to shape chaos into law, and law into those inalienable rights. Through Christ our Lord, Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 1 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (96-3).

Leaves of absence are granted Representatives Braswell, Gray, Miner, Pulley, Redwine, Wainwright, and Wood for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 701, AN ACT TO PROHIBIT THE STATE BOARD OF EDUCATION FROM ADOPTING OR ENFORCING ANY RULE THAT REQUIRES ALGEBRA I AS A GRADUATION STANDARD OR AS A REQUIREMENT FOR A HIGH SCHOOL DIPLOMA FOR STUDENTS WHO ARE IDENTIFIED AS LEARNING DISABLED IN THE AREA OF MATHEMATICS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO SUSPEND THE APPLICATION OF THIS RULE TO THESE STUDENTS. (CHAPTER 371)

H.B. 783, AN ACT TO PERMIT THE ISSUANCE OF CERTAIN PERMITS ON SCHOOL PROPERTY. (CHAPTER 372)

S.B. 223, AN ACT TO AUTHORIZE CRIMINAL RECORD CHECKS OF PUBLIC SCHOOL EMPLOYEES. (CHAPTER 373)

S.B. 530, AN ACT TO PROVIDE THAT THE COUNTY PUBLISH A NOTICE OF A ROAD CLOSURE HEARING RATHER THAN PUBLISHING THE FULL ROAD CLOSURE RESOLUTION AS CURRENTLY REQUIRED BY LAW. (CHAPTER 374)

S.B. 597, AN ACT TO PROVIDE THAT A DEFENDANT WHO IS CONVICTED OF A DRUG TRAFFICKING CONSPIRACY IS NOT ELIGIBLE FOR INTERMEDIATE SANCTIONS UNDER THE STRUCTURED SENTENCING ACT. (CHAPTER 375)

H.B. 63, AN ACT TO PROVIDE FOR A SPECIALTY LICENSE FOR TRANSPORT REFRIGERATION CONTRACTORS, TO CHANGE THE COMPOSITION OF THE LICENSING BOARD, AND TO AMEND OTHER PROVISIONS OF THE LAW GOVERNING REFRIGERATION CONTRACTORS. (CHAPTER 376)

S.B. 1012, AN ACT TO IMPROVE THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS. (CHAPTER 377)

S.B. 987, AN ACT TO CREATE THE FELONY OFFENSE OF CONTINUING CRIMINAL ENTERPRISE WITH REGARD TO CRIMINAL OFFENSES THAT ARE NOT DRUG OFFENSES, TO PROVIDE THAT FAILURE OF CERTAIN MERCHANTS TO PRODUCE A RECORD OR AFFIDAVIT WITH CERTAIN INFORMATION INDICATING THE SOURCE OF THE MERCHANT'S PRODUCTS AND TO SHOW THE RECORD OR AFFIDAVIT TO A LAW ENFORCEMENT OFFICER UPON REQUEST IS PRIMA FACIE EVIDENCE THAT THE PRODUCTS ARE STOLEN AND TO MAKE OTHER CHANGES. (CHAPTER 378)

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative G. Robinson for the Committee on Ways and Means:

H.B. 952, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA BRIDGE AUTHORITY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 85,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NONPROFIT BARBER SCHOOLS HAVE ONE INSTRUCTOR FOR EVERY TWENTY STUDENTS, is returned for concurrence in two Senate amendments and placed on the Calendar for July 6.

Senate Committee Substitute No. 2 for **H.B. 90,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO MEETS SPECIFIED STATUTORY CRITERIA MAY CARRY A CONCEALED HANDGUN IF THE PERSON HAS OBTAINED A CONCEALED HANDGUN PERMIT, TO AUTHORIZE SHERIFFS TO AUTHORIZE ISSUANCE OF CONCEALED HANDGUN PERMITS, TO ESTABLISH THE CRITERIA THAT MUST BE SATISFIED TO RECEIVE THE PERMIT, TO ESTABLISH THE PROCEDURE FOR THE ISSUANCE OF A CONCEALED HANDGUN PERMIT, AND TO MAKE CONFORMING STATUTORY CHANGES, is returned for concurrence in Senate Committee Substitute No. 2 and placed on the Calendar for July 6.

Upon concurrence, Senate Committee Substitute No. 2 changes the title.

Committee Substitute for **S.B. 598,** A BILL TO BE ENTITLED AN ACT TO CREATE FIRE DISTRICTS IN SCOTLAND COUNTY, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 927,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO PERMIT IS REQUIRED FOR SMALL LANDFILLS FOR THE DISPOSAL OF DEMOLITION DEBRIS, is read the first time and referred to the Committee on Health and Environment.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Justus moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 56

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 56, A BILL TO BE ENTITLED AN ACT TO REPEAL ANTIQUATED, OBSOLETE, OR UNCONSTITUTIONAL LAWS, Fourth Edition Engrossed 5/17/95, submit the following report:

The Senate concurs in the House Committee Substitute, Fourth Edition Engrossed 5/17/95 with the following amendment:

On page 11, lines 22 through 24, rewrite those lines to read:

"AMEND 1937 LAW ALLOWING MOTOR VEHICLES TO USE ACETYLENE HEADLAMPS

Sec. 18.1. G.S. 20-132 reads as rewritten:

' 20-132. **Acetylene lights.**

Motor vehicles eligible for a Historic Vehicle Owner special registration plate under G.S. 20-79.4 may be equipped with two acetylene headlamps of approximately equal candlepower when equipped with clear plane-glass fronts, bright six-inch spherical mirrors, and standard acetylene five-eighths foot burners not more and not less and which do not project a glaring or dazzling light into the eyes of approaching drivers.'"

The House agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 30, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Aaron W. Plyler	S/ N. Leo Daughtry
S/ Anthony E. Rand	S/ Larry T. Justus
S/ Fletcher L. Hartsell, Jr.	S/ William T. Culpepper, III

The Conference Report is adopted, by electronic vote (100-0), and the Senate is so notified by Special Message.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 537,** A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY.

On motion of Representative Dickson, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hill, Howard, Hunt, Hurley, Ives, Justus, Kiser, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 98.

Voting in the negative: None.

Excused absences: Representatives Braswell, Gray, Luebke, Miner, Pulley, Redwine, Wainwright, and Wood - 8.

Committee Substitute for **H.B. 774,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE PRACTICES BETWEEN AND AMONG PHYSICIANS AND MID-LEVEL HEALTH CARE PROVIDERS.

On motion of Representative Dickson, the House concurs in Senate Amendment No. 1 by electronic vote (99-2).

On motion of Representative Dickson, the House concurs in Senate Amendment No. 2, by electronic vote (95-7), and the bill is ordered enrolled.

H.B. 873, A BILL TO BE ENTITLED AN ACT TO LIMIT THE SUBSTANCES THAT APPLICATORS OF PESTICIDES ARE

AUTHORIZED TO APPLY AND TO PROVIDE FOR THE PESTICIDE APPLICATOR'S LICENSE TO BE REVOKED, SUSPENDED, OR DENIED FOR VIOLATING THIS LIMITATION.

On motion of the Chair, the bill is temporarily displaced.

H.B. 970, A BILL TO BE ENTITLED AN ACT TO PERMIT EMPLOYERS TO CONDUCT ON-SITE DRUG TESTING UNDER CERTAIN CIRCUMSTANCES.

Representative Neely requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Hayes, the House concurs in the Senate amendment, by electronic vote (99-4), and the bill is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 663,** A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FOR THE CITY OF WILMINGTON AND NEW HANOVER COUNTY FROM THE PUBLIC RECORDS ACT FOR CERTAIN GEOGRAPHICAL INFORMATION SYSTEMS; TO PROVIDE THAT THE MERGER OF THE ALAMANCE COUNTY SCHOOLS AND THE BURLINGTON CITY SCHOOLS MAY BECOME EFFECTIVE ONLY IF APPROVED BY THE VOTERS OF ALAMANCE COUNTY; TO REDUCE FROM ELEVEN TO SEVEN THE NUMBER OF GUILFORD COUNTY COMMISSIONERS AND TO REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS, SUBJECT TO A REFERENDUM; AND TO PROVIDE FOR PARTISAN ELECTIONS IN THE CITY OF HIGH POINT, IF APPROVED BY REFERENDUM.

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 681, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH GREENSBORO MAY USE THE PROCEEDS OF ITS LOCAL OCCUPANCY TAX, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute No. 3 for **H.B. 540,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF EIGHT HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND.

Representative Allred offers Amendment No. 12 which fails of adoption by electronic vote (34-71).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Baker, Barbee, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Cummings, Cunningham, Daughtry, Dickson, Dockham, Earle, Easterling, Edwards, Ellis, Fitch, Grady, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, McAllister, McComas, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 90.

Voting in the negative: Representatives Allred, Arnold, Barnes, Berry, Blue, Creech, Culpepper, Davis, Decker, Eddins, Esposito, Fox, Gamble, Gardner, Hackney, Hensley, Lemmond, Linney, Luebke, McCombs, Michaux, Nichols, Rogers, and Warner - 24.

Excused absences: Representatives Braswell, Gray, Miner, Pulley, Redwine, and Wood - 6.

Committee Substitute No. 2 for **H.B. 443,** A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL REAL ESTATE APPRAISERS TO BE LICENSED AND TO PROVIDE FOR THE REGISTRATION OF TRAINEE REAL ESTATE APPRAISERS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge,

Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Braswell, Gray, Miner, Pulley, Redwine, and Wood - 6.

Committee Substitute for **H.B. 941,** A BILL TO BE ENTITLED AN ACT TO CONFORM THE PROVISIONS OF THE PUBLIC UTILITIES CHAPTER OF THE GENERAL STATUTES TO THE FEDERAL PREEMPTION OF STATE REGULATION OF INTRASTATE TRANSPORTATION OF PROPERTY EXCEPT HOUSEHOLD GOODS AND TO THE FEDERAL PREEMPTION OF STATE REGULATION OF WIRELESS TELECOMMUNICATIONS CARRIERS, AND TO INCREASE THE APPLICATION FEE.

Representative G. Miller offers Amendment No. 2 which is adopted by electronic vote (105-1).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard,

Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: Representative Linney.

Excused absences: Representatives Braswell, Gray, Miner, Pulley, Redwine, and Wood - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 606,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF FACILITY AUTHORITIES AND TO ESTABLISH THE CENTENNIAL AUTHORITY.

On motion of Representative Neely, the bill is temporarily displaced.

Committee Substitute for **H.B. 511,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN LATE CHARGES FOR THE LATE RETURN OF RENTED PROPERTY ARE SUBJECT TO SALES TAX AND TO PROVIDE FOR TREBLE DAMAGES IN A CIVIL ACTION TO ENFORCE PAYMENT OF CERTAIN LATE CHARGES FOR THE LATE RETURN OF A RENTED VIDEO CASSETTE TAPE.

Representative Weatherly offers Amendment No. 3 which is adopted by electronic vote (106-2).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Hurley, Ives, Justus, Lee, Lemmond, Locke, Luebke,

McAllister, McComas, McCombs, McCrary, McMahan, Mercer, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Ramsey, Rayfield, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 95.

Voting in the negative: Representatives Barnes, Blue, Culpepper, Earle, Hackney, Hensley, H. Hunter, Kiser, Linney, McLaughlin, Michaux, Oldham, G. Robinson, and Womble - 14.

Excused absences: Representatives Braswell, Gray, Miner, Pulley, Redwine, and Wood - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 3 for **H.B. 490,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNUAL REPORTS OF BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, TO ESTABLISH FEES FOR EXPEDITED FILINGS, TO PROVIDE THAT NONPROFIT RELIGIOUS CORPORATIONS ARE NOT REQUIRED TO FILE ANNUAL REPORTS, TO EXTEND THE DEADLINE TO ALLOW THE REINSTATEMENT OF DISSOLVED CORPORATIONS, AND TO ALLOW THE SECRETARY OF STATE TO RETAIN FILED DOCUMENTS IN REPRODUCED FORM.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs,

McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: Representative Allred.

Excused absences: Representatives Braswell, Gray, Miner, Pulley, Redwine, and Wood - 6.

NOTICE OF INTENT TO CIRCULATE DISCHARGE PETITION

Representative Fitch gives notice of his intent to circulate a discharge petition pursuant to Rule 39(b) on **H.B. 838,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR SCHOOL-RELATED CAPITAL IMPROVEMENTS.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 155, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A TEMPORARY LICENSE PLATE THAT IS VALID FOR UP TO SIXTY DAYS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and

Yongue - 108.

Voting in the negative: Representative Sutton.

Excused absences: Representatives Braswell, Gray, Miner, Pulley, Redwine, and Wood - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 798,** A BILL TO BE ENTITLED AN ACT AUTHORIZING SANITARY DISTRICTS TO PROVIDE STREETS AND LAW ENFORCEMENT SERVICES AND ALLOWING SMALL SANITARY DISTRICTS TO COMPENSATE BOARD MEMBERS IN THE SAME MANNER AS LARGE SANITARY DISTRICTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nye, Owens, Pate, Preston, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: Representatives Ellis, Kiser, and Nichols - 3.

Excused absences: Representatives Braswell, Gray, Miner, Pulley, Redwine, and Wood - 6.

Committee Substitute for **H.B. 1001,** A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PROPERTY TAX NONCOMMERCIAL MOTOR VEHICLES THAT ARE THIRTY YEARS OLD OR OLDER AND ARE MAINTAINED FOR USE IN EXHIBITIONS, CLUB ACTIVITIES, PARADES, AND OTHER PUBLIC INTEREST FUNCTIONS.

Pursuant to Rule 24.1A(c), the requests that Representatives Brawley, Shubert, K. Miller, and Hightower be excused from voting on June 30 is continued.

Representative Cunningham moves to suspend Rule 31(d) in order to offer an amendment which would change the title.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (60-44).

The motion fails by electronic vote (46-60).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (62-43).

The bill passes its third reading, by electronic vote (67-40), and is ordered sent to the Senate by Special Message.

INTRODUCTION OF PAGES

Pages for the week of July 5-7 are introduced to the membership. They are: Charles Allred of Cumberland; Jennifer Belk of Caldwell; Sarah Blackburn of Durham; Prateek Chandak of Wake; Kevin Farmer of Pender; Krista Hall of Iredell; Levi Hamilton of Orange; Stuart Horton of Wake; Emily Howell of Wake; Melissa Joyner of Sampson; Ed Lassiter of Wake; Erin Maynard of Wake; Adam McCombs of Wake; Mary Quinn of Wake; Townsend Quinn of Wake; Stuart Russell of Forsyth; Keeley Smith of Iredell; Anna Stavredes of Wake; Morgan Stephenson of Johnston; Annie Tai of Wake; Mike Votta of Guilford; and Shannon Warwick of Nash.

CALENDAR (continued)

House Committee Substitute for **S.B. 558,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EXPEDITED EVICTION OF PERSONS ENGAGED IN DRUG-RELATED CRIMINAL ACTIVITY AND OTHER CRIMINAL ACTIVITY THAT THREATENS THE HEALTH, SAFETY, OR PEACEFUL ENJOYMENT OF RENTAL PROPERTY.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (99-0).

The bill, as amended, passes its third reading, by electronic vote (104-0),

and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

H.B. 873, A BILL TO BE ENTITLED AN ACT TO LIMIT THE SUBSTANCES THAT APPLICATORS OF PESTICIDES ARE AUTHORIZED TO APPLY AND TO PROVIDE FOR THE PESTICIDE APPLICATOR'S LICENSE TO BE REVOKED, SUSPENDED, OR DENIED FOR VIOLATING THIS LIMITATION, which was temporarily displaced, is before the Body.

On motion of Representative Lemmond, the House does not concur in Senate Amendment No. 2, by electronic vote (111-0), and conferees are requested.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute No. 2 for **S.B. 135,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PETROLEUM OVERCHARGE FUNDS AND FUNDS FROM THE WORKER TRAINING TRUST FUND APPROPRIATED FOR THE 1993 FISCAL BIENNIUM SHALL NOT REVERT, is read the first time and referred to the Committee on Appropriations.

On motion of Representative Morgan, seconded by Representative Russell, the House adjourns at 6:03 p.m. in memory of Reverend James W. McGinnis, former House Chaplain, to reconvene July 6 at 1:30 p.m.

NINETY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, July 6, 1995

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, as we begin today, we pause to remember the family of Chaplain McGinnis as they share together in this sacred and tender time in their lives. Bless each one of them. We are grateful for, and were blessed by, his ministry in our midst. Father, as I came back to Raleigh yesterday, I just wasn't in the mood for legislative process. It was hard to leave the fresh coolness of the mountains. But Father, these good folks jumped right back into the process as if there had not been a Sunday, Monday, and Tuesday between sessions. They must stay in the mood. Like the other day, I came into the kitchen where my wife was stirring up something. She or it or something smelled so good, so I sorta' moved up behind her and slipped my arms around her waist and began to nibble her neck a little. She said, 'Stop it, I'm busy can't you see? Besides, you are always in the mood'. I replied, 'Well, I caught it from those Representatives over in Raleigh. They stay in the mood. They love their work.' I continued, 'You know what perfume does to me. You smell so good. What is it you are wearing?' She snorted, 'It's vanilla flavoring, you dummy. I'm making custard for the grandchildren. Now get out of my way.' Father, the apostle Paul told young Timothy to be ready to preach the Gospel in season and out of season. (II Timothy 4:2) That is to just stay in the mood. Now thank You, Father, that these good men and women love their work, and bless and guide them as they stay in the mood of service and ministry to the people of North Carolina. In Thy name we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 5 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (96-3).

Leaves of absence are granted Representatives Barnes, Braswell, Davis, and Pulley for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 56, AN ACT TO REPEAL ANTIQUATED, OBSOLETE, OR UNCONSTITUTIONAL LAWS. (CHAPTER 379)

S.B. 681, AN ACT TO MODIFY THE PURPOSES FOR WHICH GREENSBORO MAY USE THE PROCEEDS OF ITS LOCAL OCCUPANCY TAX. (CHAPTER 380)

H.B. 667, AN ACT TO ALLOW CERTAIN MUNICIPALITIES TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES. (CHAPTER 381)

H.B. 774, AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE PRACTICES BETWEEN AND AMONG PHYSICIANS AND MID-LEVEL HEALTH CARE PROVIDERS. (CHAPTER 382)

H.B. 970, AN ACT TO PERMIT EMPLOYERS TO CONDUCT ON-SITE DRUG TESTING UNDER CERTAIN CIRCUMSTANCES. (CHAPTER 383)

H.B. 997, AN ACT TO ADD ACQUISITION OF LAND FOR LANDFILLS TO THE LIST OF PURPOSES FOR WHICH LOCAL GOVERNMENTS MAY ISSUE SPECIAL OBLIGATION BONDS OR OBTAIN FINANCING UNDER THE SOLID WASTE MANAGEMENT LOAN PROGRAM. (CHAPTER 384)

H.B. 1018, AN ACT TO AUTHORIZE LOCAL GOVERNMENTS OPERATING LOCAL CONFINEMENT FACILITIES TO CHARGE FEES FOR NONEMERGENCY MEDICAL CARE PROVIDED TO PRISONERS. (CHAPTER 385)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Holmes, Creech, and Esposito for the Committee on Appropriations:

Committee Substitute No. 2 for **S.B. 135,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PETROLEUM OVERCHARGE FUNDS AND FUNDS FROM THE WORKER TRAINING TRUST FUND APPROPRIATED FOR THE 1993 FISCAL BIENNIUM SHALL NOT REVERT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 499, A BILL TO BE ENTITLED AN ACT TO ALLOW THE

PAYMENT OF ADDITIONAL BENEFITS TO RESCUE AND EMERGENCY MEDICAL SERVICES WORKERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 955, A BILL TO BE ENTITLED AN ACT PROHIBITING THE UNAUTHORIZED USE OF WIRELESS TELECOMMUNICATIONS SERVICES AND ESTABLISHING CIVIL AND CRIMINAL PENALTIES FOR ACTS RELATING TO SUCH USE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Dockham for the Committee on Insurance:

Committee Substitute for **S.B. 931,** A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFEGUARDS TO REDUCE THE CHANCES AND LESSEN THE EFFECTS OF WORKERS' COMPENSATION SELF-INSURANCE INSOLVENCIES AND APPROPRIATE FUNDS TO IMPLEMENT THIS ACT, with a favorable report as to House committee substitute bill, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The House committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives Ives and Lemmond for the Permanent Subcommittee on General Government of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

S.B. 815, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO VOTING PRECINCTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

Committee Substitute for **H.B. 626,** A BILL TO BE ENTITLED AN ACT TO CREATE FIRE DISTRICTS IN SCOTLAND COUNTY, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to

Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar for July 10. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 491, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HIGHLANDS TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

CONFEREES APPOINTED

The Speaker announces the following conferees on **H.B. 873,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE SUBSTANCES THAT APPLICATORS OF PESTICIDES ARE AUTHORIZED TO APPLY AND TO PROVIDE FOR THE PESTICIDE APPLICATOR'S LICENSE TO BE REVOKED, SUSPENDED, OR DENIED FOR VIOLATING THIS LIMITATION: Representatives Lemmond, Thompson, and Mercer.

The Senate is so notified by Special Message.

GUEST

The Speaker introduces the 1995-96 North Carolina Teacher of the Year, Mrs. Vernestine Kent Taylor, of Wilson County, to the Body.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute No. 2 for **S.B. 973,** A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA WORKERS' COMPENSATION LOSS COSTS RATING LAW, is read the first time and referred to the Committee on Business and Labor.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 832,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MEANING OF CRITICAL HABITAT AND TO LIMIT THE DESIGNATION OF CRITICAL HABITAT BY THE WILDLIFE RESOURCES COMMISSION.

On motion of Representative Hayes, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (102-5), and the bill is ordered enrolled.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Barbee and without objection, Committee Substitute for **H.B. 844,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAW, is withdrawn from the Calendar and placed on the Calendar of July 11.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 663,** A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FOR THE CITY OF WILMINGTON AND NEW HANOVER COUNTY FROM THE PUBLIC RECORDS ACT FOR CERTAIN GEOGRAPHICAL INFORMATION SYSTEMS; TO PROVIDE THAT THE MERGER OF THE ALAMANCE COUNTY SCHOOLS AND THE BURLINGTON CITY SCHOOLS MAY BECOME EFFECTIVE ONLY IF APPROVED BY THE VOTERS OF ALAMANCE COUNTY; TO REDUCE FROM ELEVEN TO SEVEN THE NUMBER OF GUILFORD COUNTY COMMISSIONERS AND TO REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS, SUBJECT TO A REFERENDUM; AND TO PROVIDE FOR PARTISAN ELECTIONS IN THE CITY OF HIGH POINT, IF APPROVED BY REFERENDUM.

Representative Decker offers Amendment No. 1 which is adopted by electronic vote (111-1). This amendment changes the title.

The bill, as amended, passes its second reading and the caption having been amended, the bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 606,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF FACILITY AUTHORITIES AND TO ESTABLISH THE CENTENNIAL AUTHORITY.

Representative Miner offers Amendment No. 1 which is adopted by electronic vote (113-0).

Representative Blue offers Amendment No. 2 which is adopted by electronic vote (89-27).

Representative Capps offers Amendment No. 3.

Representative Capps calls the previous question on the amendment and the call is sustained by electronic vote (82-30).

Amendment No. 3 fails of adoption by electronic vote (38-75).

Representative Decker offers Amendment No. 4 which is adopted by electronic vote (66-42).

Representative Eddins offers Amendment No. 5 which fails of adoption by electronic vote (30-77).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Baker, Barbee, Beall, Black, Blue, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Church, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Hunt, H. Hunter, Justus, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Ramsey, Redwine, Richardson, G. Robinson, J. Robinson, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 86.

Voting in the negative: Representatives Allred, Arnold, Berry, Capps,

Carpenter, Creech, Davis, Decker, Ellis, Fox, Gamble, Gardner, Hackney, Howard, Hurley, Kiser, Linney, Nichols, Rayfield, Reynolds, Russell, Warner, and Wood - 23.

Excused absences: Representatives Barnes, Braswell, Ives, and Pulley - 4.

Committee Substitute No. 2 for **H.B. 555,** A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA BOXING COMMISSION.

Representative Arnold offers Amendment No. 1 which is adopted by electronic vote (102-2).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Hurley, Justus, Kiser, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representative Baker.

Excused absences: Representatives Barnes, Braswell, Ives, and Pulley - 4.

Representative Arnold, Co-Chair of the Finance Committee, requests that a fiscal note be prepared under Rule 36.1.

House Committee Substitute No. 2 for **S.B. 1080,** A BILL TO BE ENTITLED AN ACT TO PLACE CERTAIN RESTRICTIONS ON THE

SITING OF SWINE HOUSES AND LAGOONS.

Pursuant to Rule 24.1A(c), the excused vote for Representative Nichols from June 30 is continued.

Representative Watson offers Amendment No. 1.

Representative Mitchell raises a point of order as to germaness of Amendment No. 1. The Chair rules the amendment is germane to the title of the bill.

Representative Mercer inquires of the Chair if the effective date of the bill would also apply to Amendment No. 1.

On motion of Representative Watson, Amendment No. 1 is temporarily displaced.

Representative Richardson offers Amendment No. 2.

Representative Mitchell moves, seconded by Representative Tolson, that Amendment No. 2 be tabled.

The electronic vote on the motion to table is (50-50). The Speaker votes "aye". The adjusted vote total is (51-50). The amendment is tabled.

Representative Richardson offers Amendment No. 3.

On motion of Representative Mitchell, seconded by Representative Locke, Amendment No. 3 is tabled by electronic vote (65-39).

Representative H. Hunter offers Amendment No. 4 which fails of adoption by electronic vote (19-77).

Amendment No. 1, which was temporarily displaced, is before the Body.

Representative Watson offers Perfecting Amendment No. 5, to Amendment No. 1, which is adopted by electronic vote (97-3).

Amendment No. 1 is adopted by electronic vote (97-7).

Representative H. Hunter offers Amendment No. 6 which is adopted by electronic vote (71-27).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (74-29).

The bill, as amended, passes its third reading, by electronic vote (101-3), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 352,** A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EARLIER DATE FOR THE PRESIDENTIAL AND OTHER PRIMARIES AND TO REIMBURSE THE COUNTIES FOR POSTAGE IN THE DELIVERY OF CERTIFICATIONS OF CANDIDACY AND RESULTS OF PRIMARIES AND ELECTIONS AND TO REMOVE THE EXCUSE REQUIREMENT FROM ABSENTEE VOTING.

On motion of Representative Wood, Committee Amendment No. 2 is adopted by electronic vote (53-48).

Representative Culpepper offers Amendment No. 3 which is adopted by electronic vote (93-14).

Representative Hightower moves to suspend Rule 31(d) in order that an amendment which would change the title could be considered.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (69-37).

The motion to suspend Rule 31(d) fails of adoption by electronic vote (43-67).

Representative Wood calls the previous question on the passage of the bill and the call is sustained by electronic vote (81-26).

The bill, as amended, passes its third reading, by electronic vote (68-42), and is ordered engrossed and sent to the Senate by Special Message.

House Committee Substitute for **S.B. 415,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS AND TO LIMIT THE SIMULTANEOUS CONVERSION/MERGERS OF MUTUAL AND STOCK INSTITUTIONS.

Pursuant to Rule 24.1A(c), the excused votes for Representatives Blue and Shaw from June 29 are continued.

Representative Edwards requests that he be excused from voting on this bill under Rule 24.1A, because he is a bank director and stockholder and this request is granted.

Representative R. Hunter offers Amendment No. 2 which is adopted by electronic vote (100-2).

Representative Allred offers Amendment No. 3 which is adopted by electronic vote (50-47).

The bill, as amended, passes its third reading, by electronic vote (99-3), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 15,** A BILL TO BE ENTITLED AN ACT TO FURTHER STREAMLINE THE STATUTES SO AS TO CLARIFY THE CONSTITUTIONAL ROLE OF THE STATE BOARD OF EDUCATION.

On motion of Representative Russell, Committee Amendment No. 1 fails of adoption by electronic vote (8-91).

The bill passes its second reading, by electronic vote (79-20), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 430,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE INVESTMENT AUTHORITY OF A BANK UNDER THE BANKING LAWS.

Representative Edwards requests that he be excused from voting on this bill under Rule 24.1A, because he is a bank director and stockholder, and this request is granted.

Representative Miner offers Amendment No. 1 which fails of adoption by

electronic vote (18-85).

The bill passes its second reading, by electronic vote (99-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 525,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE HEALTH DIRECTOR TO PREPARE A MEDICAL AND HEALTH BENEFITS PLAN.

REPRESENTATIVE RUSSELL, SPEAKER PRO TEMPORE, PRESIDING.

The bill passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 237,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE USE VALUE TAX LAW, TO UPDATE THE LAW TO CONFORM TO MODERN FAMILY PROPERTY TRANSACTIONS, AND TO EXPAND THE CATEGORY OF RELATIVES WHO MAY QUALIFY FOR USE VALUE PROPERTY TRANSFERS.

Representative Baker requests that he be excused from voting on this bill under Rule 24.1A, due to a conflict of interest, and this request is granted.

Representative Mercer offers Amendment No. 1 which is adopted by electronic vote (92-0).

SPEAKER BRUBAKER PRESIDING.

The bill, as amended, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and

sent to the Senate for concurrence in House committee substitute by Special Message.

Senate Committee Substitute for **H.B. 537,** A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY.

On motion of Representative Dickson, the House concurs in the material Senate committee substitute on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Justus, Kiser, Lee, Lemmond, Linney, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 98.

Voting in the negative: None.

Excused absences: Representatives Barnes, Braswell, Cansler, Ives, Pulley, Redwine, Wainwright, Warner, and Wright - 9.

Committee Substitute for **H.B. 85,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NONPROFIT BARBER SCHOOLS HAVE ONE INSTRUCTOR FOR EVERY TWENTY STUDENTS.

On motion of Representative Brawley, the House concurs in Senate Amendment No. 1 by electronic vote (100-1).

On motion of Representative Brawley, the House concurs in Senate Amendment No. 2, by electronic vote (101-1), and the bill is ordered enrolled.

Senate Committee Substitute No. 2 for **H.B. 90,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO MEETS SPECIFIED STATUTORY CRITERIA MAY CARRY A CONCEALED HANDGUN IF THE PERSON HAS OBTAINED A CONCEALED HANDGUN PERMIT, TO AUTHORIZE SHERIFFS TO AUTHORIZE ISSUANCE OF CONCEALED HANDGUN PERMITS, TO ESTABLISH THE CRITERIA THAT MUST BE SATISFIED TO RECEIVE THE PERMIT, TO ESTABLISH THE PROCEDURE FOR THE ISSUANCE OF A CONCEALED HANDGUN PERMIT, AND TO MAKE CONFORMING STATUTORY CHANGES.

Representative H. Hunter requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Nichols calls the previous question on the motion to concur and the call is sustained by electronic vote (84-19).

The House concurs in Senate Committee Substitute No. 2, which changes the title, by electronic vote (90-18), and the bill is ordered enrolled.

Committee Substitute for **H.B. 511,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN LATE CHARGES FOR THE LATE RETURN OF RENTED PROPERTY ARE SUBJECT TO SALES TAX AND TO PROVIDE FOR TREBLE DAMAGES IN A CIVIL ACTION TO ENFORCE PAYMENT OF CERTAIN LATE CHARGES FOR THE LATE RETURN OF A RENTED VIDEO CASSETTE TAPE.

The bill passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Capps, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Easterling, Eddins, Ellis, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Hunt, R. Hunter, Hurley, Justus, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Rayfield, Reynolds, Richardson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, C. Wilson, G. Wilson, Wood, and Yongue - 89.

Voting in the negative: Representatives Blue, Carpenter, Earle, Hackney, Hensley, H. Hunter, Kiser, McLaughlin, Michaux, G. Robinson, and Womble - 11.

Excused absences: Representatives Barnes, Braswell, Cansler, Ives, Pulley, Redwine, Warner, and Wright - 8.

Committee Substitute No. 3 for **H.B. 490,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNUAL REPORTS OF BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, TO ESTABLISH FEES FOR EXPEDITED FILINGS, TO PROVIDE THAT NONPROFIT RELIGIOUS CORPORATIONS ARE NOT REQUIRED TO FILE ANNUAL REPORTS, TO EXTEND THE DEADLINE TO ALLOW THE REINSTATEMENT OF DISSOLVED CORPORATIONS, AND TO ALLOW THE SECRETARY OF STATE TO RETAIN FILED DOCUMENTS IN REPRODUCED FORM.

Representative Allred offers Amendment No. 2.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (81-17).

Amendment No. 2 fails of adoption by electronic vote (36-64).

Representative Blue states his voting equipment malfunctioned and he requests to be recorded as voting "no". This request is granted. The adjusted vote total is (35-65).

Representative Linney offers Amendment No. 3 which is adopted by electronic vote (53-44).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, Justus, Kiser,

Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Ramsey, Rayfield, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, C. Wilson, Womble, Wood, and Yongue - 97.

Voting in the negative: Representatives Creech, Hightower, and Oldham - 3.

Excused absences: Representatives Barnes, Braswell, Cansler, Ives, Pulley, Redwine, Warner, and Wright - 8.

S.B. 155, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A TEMPORARY LICENSE PLATE THAT IS VALID FOR UP TO SIXTY DAYS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 100.

Voting in the negative: Representative Linney.

Excused absences: Representatives Barnes, Braswell, Cansler, Ives, Pulley, Redwine, Warner, and Wright - 8.

House Committee Substitute for **S.B. 798,** A BILL TO BE ENTITLED AN ACT AUTHORIZING SANITARY DISTRICTS TO PROVIDE STREETS AND LAW ENFORCEMENT SERVICES AND ALLOWING SMALL SANITARY DISTRICTS TO COMPENSATE BOARD MEMBERS

IN THE SAME MANNER AS LARGE SANITARY DISTRICTS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Capps, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Justus, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Ramsey, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, C. Wilson, G. Wilson, Wood, and Yongue - 96.

Voting in the negative: Representatives Blue, Carpenter, Ellis, Kiser, Linney, Nichols, Rayfield, and Womble - 8.

Excused absences: Representatives Barnes, Braswell, Cansler, Ives, Pulley, Redwine, Warner, and Wright - 8.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 293, A BILL TO BE ENTITLED AN ACT TO PERMIT THE IMPORTATION AND BOTTLING OF SPIRITUOUS LIQUOR WITHIN FOREIGN TRADE ZONES LOCATED AT THE WILMINGTON AND MOREHEAD CITY PORTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Berry, Black, Blue, Bowie, Boyd-McIntyre, Brawley, W. Brown, Buchanan, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hensley, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Richardson, G. Robinson, J. Robinson, Rogers, Sexton,

Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, C. Wilson, G. Wilson, Womble, and Yongue - 87.

Voting in the negative: Representatives Beall, J. Brown, Capps, Church, Davis, Decker, Ellis, Hayes, Hiatt, Justus, Kiser, Nye, Sutton, and Wood - 14.

Excused absences: Representatives Barnes, Braswell, Cansler, Ives, Pulley, Redwine, Warner, and Wright - 8.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 689,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE OLYMPIC GAMES AND SQUARE DANCE CLUBS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Black, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Justus, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Wainwright, Watson, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 89.

Voting in the negative: Representatives Berry, Blue, Creech, Culpepper, Hensley, Kiser, Linney, K. Miller, Rogers, Sutton, Tolson, and Weatherly - 12.

Excused absences: Representatives Barnes, Braswell, Cansler, Ives, Pulley, Redwine, Warner, and Wright - 8.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 752,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES THAT HAVE PROTECTED MOUNTAIN RIDGES TO ESTABLISH COUNTY SERVICE DISTRICTS TO PROVIDE FOR CERTAIN ROAD NEEDS OF THE

DISTRICT AND TO ALLOW UNDER CERTAIN CIRCUMSTANCES THE MAINTENANCE OF PUBLIC ROADS LYING OUTSIDE THE DISTRICT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Justus, Kiser, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 100.

Voting in the negative: Representative Creech.

Excused absences: Representatives Barnes, Braswell, Cansler, Ives, Pulley, Redwine, Warner, and Wright - 8.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 404,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRITERIA FOR SELECTION AND SENTENCING TO IMPACT.

On motion of the Chair, the bill is temporarily displaced.

S.B. 541, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REVIEW OF THE DIRECTOR OF SOCIAL SERVICES' DECISIONS NOT TO FILE ABUSE, NEGLECT, OR DEPENDENCY PETITIONS AND TO MAKE CLARIFYING CHANGES TO THE LAW GOVERNING INVESTIGATIONS OF REPORTS OF ABUSE, NEGLECT, AND DEPENDENCY.

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 668, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE STATUTE PERMITTING PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION.

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 478, A BILL TO BE ENTITLED AN ACT TO COORDINATE ENFORCEMENT OF FEDERAL NURSING HOME REQUIREMENTS WITH STATE REQUIREMENTS, passes its second reading, by electronic vote (101-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 396,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE REGULATED ARRANGEMENTS AMONG PHYSICIANS WHEN THE ARRANGEMENT WILL HELP CONTROL COSTS, IMPROVE ACCESS, IMPROVE QUALITY, OR IMPLEMENT MANDATED HEALTH CARE REFORMS, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 570,** A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE LEXINGTON UTILITIES COMMISSION, passes its second reading, by electronic vote (103-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 541, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REVIEW OF THE DIRECTOR OF SOCIAL SERVICES' DECISIONS NOT TO FILE ABUSE, NEGLECT, OR DEPENDENCY PETITIONS AND TO MAKE CLARIFYING CHANGES TO THE LAW GOVERNING INVESTIGATIONS OF REPORTS OF ABUSE, NEGLECT, AND DEPENDENCY, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (103-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 668, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE STATUTE PERMITTING PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION, which was temporarily displaced, is before the Body.

On motion of the Representative Miner, Committee Amendment No. 1 is adopted by electronic vote (103-0).

On motion of the Chair, the bill, as amended, is temporarily displaced.

CONFERENCE REPORTS

Representative Howard sends forth the Conference Report on Committee Substitute for **S.B. 737,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT COUNTIES PAY THEIR LOCAL SHARE OF PUBLIC ASSISTANCE PROGRAM BENEFITS BY ELECTRONIC FUNDS TRANSFER. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 10.

Representative Pate sends forth the Conference Report on House Committee Substitute for **S.B. 119,** A BILL TO BE ENTITLED AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS AND ARCHITECTS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER WITHOUT COMPENSATION. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 10.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 6, 1995

Mr. Speaker:

On **S.B. 737** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT COUNTIES PAY THEIR LOCAL SHARE OF PUBLIC ASSISTANCE PROGRAM BENEFITS BY ELECTRONIC FUNDS

TRANSFER, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

RE-REFERRAL

On motion of Representative Nichols, pursuant to Rule 39.2, Committee Substitute for **S.B. 52,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF CHAPTER 146 CONCERNING SUBMERGED LANDS OR LANDS COVERED BY NAVIGABLE WATERS, is withdrawn from the Committee on Health and Environment and re-referred to the Committee on Finance.

Representative Morgan moves, seconded by Representative Linney, that the House adjourn, subject to the receipt of messages from the Senate, to reconvene Monday, July 10, 1995, at 4:00 p.m.

The motion carries.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 556,** A BILL TO BE ENTITLED AN ACT TO ENABLE JOINT MUNICIPAL POWER AGENCIES TO EFFECT CORPORATE REORGANIZATION AND TO MAKE TECHNICAL CHANGES TO THE STATUTES GOVERNING JOINT MUNICIPAL POWER AGENCIES, is returned for concurrence in Senate amendment and placed on the Calendar for July 10.

Committee Substitute for **H.B. 761,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSURE OF FOREIGN LEGAL CONSULTANTS AND TO AUTHORIZE FOREIGN LEGAL CONSULTANTS TO ENGAGE IN A LIMITED PRACTICE OF LAW IN NORTH CAROLINA, is returned for concurrence in three Senate amendments and placed on the Calendar for July 10.

Senate Committee Substitute No. 2 for **H.B. 353,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED, is returned for concurrence in Senate Committee Substitute No. 2 and placed on the Calendar for July 10.

Committee Substitute for **H.B. 447,** A BILL TO BE ENTITLED AN ACT TO REQUIRE AN AMBULANCE PROVIDER LICENSE, is returned for concurrence in Senate amendment and placed on the Calendar for July 10.

Committee Substitute for **H.B. 895,** A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE OF FEDERAL MANDATES BY REQUIRING THE CERTIFICATION OF PROPOSED LEGISLATION AND RULES PURPORTED TO BE REQUIRED BY FEDERAL LAW, TO PROVIDE FOR REVIEW BY THE GOVERNOR OF ADMINISTRATIVE RULES THAT WOULD INCREASE OR DECREASE EXPENDITURES OR REVENUES OF UNITS OF LOCAL GOVERNMENT, TO AMEND THE LOCAL GOVERNMENT FISCAL INFORMATION ACT TO REQUIRE THE PREPARATION OF FISCAL NOTES FOR CERTAIN PROPOSED LEGISLATION, AND TO PROVIDE FOR THE COMPILATION OF THE COSTS OF FEDERAL MANDATES ON THE EXPENDITURES AND REVENUES OF STATE GOVERNMENT AND LOCAL GOVERNMENTS, is returned for concurrence in three Senate amendments and placed on the Calendar for July 10.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute No. 2 for **H.B. 826,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF SOIL SCIENTISTS, is returned for concurrence in Senate amendment and placed on the Calendar for July 10.

Without objection, the House stands adjourned at 2:42 p.m. on July 7.

NINETY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, July 10, 1995

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, as we assemble for what may be our last week I hope that everyone had a good weekend at home, worshipped together with their families, and had time to catch up on a few personal things. If there is family illness or other personal problems, I pray for each situation Your special care and remedial blessing. Father, I don't know what this week will reveal but the good folks here pulled off their coats and went at it last week. Among other things they slouched out wells, aerated hog waste, curtailed the activity of merger mania, aired a little Wake County frustration, took a front seat on the election caravan, cracked a few knuckles of video moochers, created some pistol packing mamas, cut a little hair, promoted the Olympics, and even started a fashion trend. If George Washington and Thomas Jefferson could wear knee britches then I guess that Representative Nichols can too, but I do think that maybe we should get him a pair of white hose. No, Father, I'm not making light of anything that these folks do, it is all important, serious, real life stuff, but I do admit that I like to smile once in a while. Yes, Father, they need Your help and Your restraint daily as we all do, and so use each one of them for the accomplishment of Your will. Forgive our sins and cleanse us from all unrighteousness, and lead us in a plain path, and in Your judgment remember mercy. Through Christ our Lord. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 6 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (88-2).

Leaves of absence are granted Representatives Hightower, McComas, McCrary, G. Miller, G. Robinson, Sutton, Wainwright and C. Wilson for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 26, AN ACT TO ENABLE LOCAL BOARDS OF EDUCATION TO EXPEL FROM SCHOOL THOSE STUDENTS WHOSE CONTINUED PRESENCE IN SCHOOL CONSTITUTES A CLEAR THREAT TO THE SAFETY OF OTHER STUDENTS OF EMPLOYEES. (CHAPTER 386)

S.B. 412, AN ACT TO MODIFY THE LAW CONCERNING THE FEDERAL PREEMPTION OF STATE USURY LAWS AND TO RAISE THE MAXIMUM LATE PAYMENT CHARGE FOR REVOLVING CREDIT LOANS. (CHAPTER 387)

S.B. 426, AN ACT TO AMEND THE PUBLIC RECORDS LAW. (CHAPTER 388)

S.B. 929, AN ACT TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA RULES OF CIVIL PROCEDURE REGARDING SERVICE OF PROCESS AND DEPOSITIONS IN A FOREIGN COUNTRY AND THE DETERMINATION OF FOREIGN LAW TO BE APPLIED IN CERTAIN CIVIL ACTIONS. (CHAPTER 389)

S.B. 943, AN ACT TO ADDRESS MOTOR FUEL TAX EVASION AND TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAXES BY CHANGING THE POINT OF TAXATION OF GASOLINE AND DIESEL FUEL, TO REPEAL THE MINIMUM HIGHWAY USE TAX, AND TO STRENGTHEN THE ENFORCEMENT OF THE ROAD TAX PAID BY MOTOR CARRIERS. (CHAPTER 390)

H.B. 733, AN ACT TO ALLOW LAW-ENFORCEMENT OFFICERS TO TAKE PHYSICAL CUSTODY OF JUVENILES SIXTEEN AND SEVENTEEN YEARS OF AGE WHO ARE BEYOND THE DISCIPLINARY CONTROL OF THEIR PARENTS AND ABSENT FROM HOME. (CHAPTER 391)

H.B. 832, AN ACT TO CLARIFY THE ROLE OF THE WILDLIFE RESOURCES COMMISSION IN THE PROTECTION OF ENDANGERED AND THREATENED WILD ANIMAL SPECIES AND WILD ANIMAL SPECIES OF SPECIAL CONCERN. (CHAPTER 392)

S.B. 15, AN ACT TO FURTHER STREAMLINE THE STATUTES SO AS TO CLARIFY THE CONSTITUTIONAL ROLE OF THE STATE BOARD OF EDUCATION. (CHAPTER 393)

S.B. 155, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR

VEHICLES TO ISSUE A TEMPORARY LICENSE PLATE THAT IS VALID FOR UP TO SIXTY DAYS. (CHAPTER 394)

S.B. 396, AN ACT TO ENCOURAGE REGULATED ARRANGEMENTS AMONG PHYSICIANS WHEN THE ARRANGEMENT WILL HELP CONTROL COSTS, IMPROVE ACCESS, IMPROVE QUALITY, OR IMPLEMENT MANDATED HEALTH CARE REFORMS. (CHAPTER 395)

S.B. 478, AN ACT TO COORDINATE ENFORCEMENT OF FEDERAL NURSING HOME REQUIREMENTS WITH STATE REQUIREMENTS. (CHAPTER 396)

H.B. 85, AN ACT TO PROVIDE THAT NONPROFIT BARBER SCHOOLS HAVE ONE INSTRUCTOR FOR EVERY TWENTY STUDENTS. (CHAPTER 397)

H.B. 90, AN ACT TO PROVIDE THAT A PERSON WHO MEETS SPECIFIED STATUTORY CRITERIA MAY CARRY A CONCEALED HANDGUN IF THE PERSON HAS OBTAINED A CONCEALED HANDGUN PERMIT, TO AUTHORIZE SHERIFFS TO ISSUE CONCEALED HANDGUN PERMITS, TO ESTABLISH THE CRITERIA THAT MUST BE SATISFIED TO RECEIVE THE PERMIT, TO ESTABLISH THE PROCEDURE FOR THE ISSUANCE OF A CONCEALED HANDGUN PERMIT, TO INCREASE THE PENALTY FOR CARRYING A CONCEALED HANDGUN WITHOUT A PERMIT, AND TO MAKE CONFORMING STATUTORY CHANGES. (CHAPTER 398)

H.B. 537, AN ACT TO ALLOW GASTON AND GREENE COUNTIES TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY AND TO VALIDATE CERTAIN GREENE COUNTY EXPENDITURES FOR A FACILITY FOR JOINT COMMUNITY COLLEGE AND PUBLIC SCHOOL USE. (CHAPTER 399)

S.B. 242, AN ACT TO AMEND THE NORTH CAROLINA NONPROFIT CORPORATION ACT AND TO MAKE A CONFORMING AMENDMENT TO THE BUSINESS CORPORATION ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 400)

S.B. 243, AN ACT TO AMEND THE LAW REGARDING THE

POWER OF A PERSONAL REPRESENTATIVE TO SETTLE CLAIMS FOR WRONGFUL DEATH, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 401)

S.B. 357, AN ACT TO EXEMPT THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT OF MAKING QUARTERLY REPORTS OF MILEAGE OF STATE VEHICLES ASSIGNED TO THE DEPARTMENT AND TO ALLOW ASSIGNMENTS OF VEHICLES TO THE DEPARTMENT TO BE REVOKED ONLY WHEN THE DEPARTMENT CONSENTS. (CHAPTER 402)

S.B. 423, AN ACT TO ESTABLISH A STATE VOCATIONAL REHABILITATION/INDEPENDENT LIVING PROGRAM FOR PEOPLE WITH DISABILITIES. (CHAPTER 403)

S.B. 653, AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE MEDICAL PRACTICE ACT. (CHAPTER 405)

S.B. 751, AN ACT TO PROVIDE THAT TREATMENT OR SERVICES RENDERED BY CERTIFIED FEE-BASED PRACTICING PASTORAL COUNSELORS SHALL BE REIMBURSABLE UNDER THE STATE HEALTH PLAN AND OTHER HEALTH INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES. (CHAPTER 406)

S.B. 896, AN ACT TO ENHANCE THE INVESTIGATIVE CAPABILITIES OF LAW ENFORCEMENT IN CASES OF DRUG TRAFFICKING AND OTHER SERIOUS CRIMES BY PERMITTING THE USE OF ELECTRONIC SURVEILLANCE IN LIMITED CIRCUMSTANCES. (CHAPTER 407)

S.B. 899, AN ACT TO PROVIDE THAT CERTAIN FINANCIAL INSTITUTIONS' RECORDS ARE CONFIDENTIAL. (CHAPTER 408)

S.B. 990, AN ACT TO PROVIDE FOR MORE EFFECTIVE ADMINISTRATIVE PERMIT REVIEW UNDER THE COASTAL AREA MANAGEMENT ACT. (CHAPTER 409)

H.B. 504, AN ACT TO SUBTRACT ANY TRADE-IN ALLOWANCE IN CALCULATING THE ALTERNATIVE HIGHWAY USE TAX ON LEASED VEHICLES. (CHAPTER 410)

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 7, 1995

Mr. Speaker:

On **S.B. 119** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER WITHOUT COMPENSATION, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 119** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS AND ARCHITECTS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER WITHOUT COMPENSATION, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **S.B. 119** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS AND ARCHITECTS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER WITHOUT COMPENSATION, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute for **S.B. 121,** A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES FOR ASSESSMENTS OF INHERITANCE TAX FOLLOWING A FEDERAL DETERMINATION, is read the first time and referred to the Committee on Finance.

Committee Substitute No. 3 for **S.B. 971,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR GUBERNATORIAL NOMINATION OF JUSTICES OF

THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS, LEGISLATIVE CONFIRMATION, AND RETENTION BY VOTE OF THE PEOPLE, TO PROVIDE FOR ELECTION OF SUPERIOR COURT JUDGES WITHIN THEIR DISTRICTS, AND TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE SUPERIOR COURT DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM FOR CERTAIN SUPERIOR COURT JUDGES, is read the first time and referred to the Committee on Judiciary I.

S.B. 1094, A BILL TO BE ENTITLED AN ACT TO INCREASE CERTAIN FEES UNDER THE NURSING HOME ADMINISTRATOR ACT, is read the first time and referred to the Committee on Finance.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 713, A BILL TO BE ENTITLED AN ACT TO PERMIT THE COUNTY OF DURHAM TO COLLECT PAYMENT OF FACILITIES FEES IN INSTALLMENTS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

House Committee Substitute for **S.B. 404,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRITERIA FOR SELECTION AND SENTENCING TO IMPACT.

On motion of the Chair, the bill is temporarily displaced.

S.B. 668, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE STATUTE PERMITTING PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION.

On motion of the Chair, the bill is temporarily displaced.

CONFERENCE REPORT

Representative Culpepper moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 119

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 119, A BILL TO BE ENTITLED AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS AND ARCHITECTS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER WITHOUT COMPENSATION, House Committee Substitute Favorable 6/12/95, submit the following report:

The Senate and House agree to the following amendments to the House Committee Substitute Favorable 6/12/95, and the Senate concurs in the House Committee Substitute as amended:

on page 1, line 17, page 2, lines 8 and 37, and page 3, line 6 by inserting between the words "injury," and "property" the words "wrongful death,";

and, on page 2, line 10, and page 3, line 8 by deleting the words "with respect to" and substituting the words "arose out of".

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: July 6, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Leslie Winner	S/ Louis M. Pate, Jr.
S/ Fred Hobbs	S/ Gregg Thompson
S/ Patrick J. Ballantine	S/ Bill Culpepper

The Conference Report is adopted by electronic vote (93-2) and the Senate is so notified by Special Message.

WITHDRAWAL OF CONFERENCE REPORT FROM CALENDAR

On motion of Representative Howard and without objection, the Conference Report for Committee Substitute for **S.B. 737,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT COUNTIES PAY THEIR LOCAL SHARE OF PUBLIC ASSISTANCE PROGRAM BENEFITS BY ELECTRONIC FUNDS TRANSFER, is withdrawn from the Calendar and returned to the Conference Committee.

CALENDAR (continued)

Committee Substitute for **H.B. 556,** A BILL TO BE ENTITLED AN ACT TO ENABLE JOINT MUNICIPAL POWER AGENCIES TO EFFECT CORPORATE REORGANIZATION AND TO MAKE TECHNICAL CHANGES TO THE STATUTES GOVERNING JOINT MUNICIPAL POWER AGENCIES.

On motion of Representative Miner, the House concurs in Senate Amendment No. 1, by electronic vote (103-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 761,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSURE OF FOREIGN LEGAL CONSULTANTS AND TO AUTHORIZE FOREIGN LEGAL CONSULTANTS TO ENGAGE IN A LIMITED PRACTICE OF LAW IN NORTH CAROLINA.

On motion of Representative Hensley, consideration of the bill is postponed until July 11.

H.B. 353, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED.

On motion of Representative Hackney, consideration of the bill is postponed until July 11.

Committee Substitute for **H.B. 447,** A BILL TO BE ENTITLED AN ACT TO REQUIRE AN AMBULANCE PROVIDER LICENSE.

On motion of Representative G. Wilson, the House concurs in the Senate amendment, by electronic vote (98-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 895,** A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE OF FEDERAL MANDATES BY REQUIRING THE CERTIFICATION OF PROPOSED LEGISLATION AND RULES PURPORTED TO BE REQUIRED BY FEDERAL LAW, TO PROVIDE FOR REVIEW BY THE GOVERNOR OF ADMINISTRATIVE RULES THAT WOULD INCREASE OR DECREASE EXPENDITURES OR REVENUES OF UNITS OF LOCAL GOVERNMENT, TO AMEND THE LOCAL GOVERNMENT FISCAL INFORMATION ACT TO REQUIRE THE PREPARATION OF FISCAL NOTES FOR CERTAIN PROPOSED LEGISLATION, AND TO PROVIDE FOR THE COMPILATION OF THE COSTS OF FEDERAL MANDATES ON THE EXPENDITURES AND REVENUES OF STATE GOVERNMENT AND LOCAL GOVERNMENTS.

On motion of the Chair, the bill is temporarily displaced.

Committee Substitute No. 2 for **H.B. 826,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF SOIL SCIENTISTS.

On motion of Representative Culp, the House concurs in Senate Amendment No. 1, by electronic vote (100-0), and the bill is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 626,** A BILL TO BE ENTITLED AN ACT TO CREATE FIRE DISTRICTS IN SCOTLAND COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Easterling, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McCombs, McLaughlin, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 94.

Voting in the negative: Representatives Allred, Cocklereece, Eddins,

K. Miller, Nichols, and Rayfield - 6.

Excused absences: Representatives Hayes, Hightower, McComas, McCrary, G. Miller, G. Robinson, Sutton, Wainwright, and C. Wilson - 9.

House Committee Substitute for **S.B. 663,** A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FOR THE CITY OF WILMINGTON AND NEW HANOVER COUNTY FROM THE PUBLIC RECORDS ACT FOR CERTAIN GEOGRAPHICAL INFORMATION SYSTEMS.

The bill, as amended, passes its third reading, by electronic vote (98-2), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 606,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF FACILITY AUTHORITIES AND TO ESTABLISH THE CENTENNIAL AUTHORITY.

On motion of Representative Miner, the bill is temporarily displaced.

S.B. 293, A BILL TO BE ENTITLED AN ACT TO PERMIT THE IMPORTATION AND BOTTLING OF SPIRITUOUS LIQUOR WITHIN FOREIGN TRADE ZONES LOCATED AT THE WILMINGTON AND MOREHEAD CITY PORTS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, W. Brown, Buchanan, Cansler, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Dickson, Dockham, Easterling, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hensley, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Lee, Linney, Locke, Luebke, McCombs, McLaughlin, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 87.

Voting in the negative: Representatives Beall, J. Brown, Capps, Carpenter, Church, Davis, Decker, Eddins, Hiatt, Justus, Kiser, Nye, Ramsey,

and Reynolds - 14.

Excused absences: Representatives Hayes, Hightower, McComas, McCrary, G. Miller, G. Robinson, Sutton, Wainwright, and C. Wilson - 9.

House Committee Substitute for **S.B. 689,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE OLYMPIC GAMES AND SQUARE DANCE CLUBS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Decker, Dickson, Dockham, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hiatt, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Locke, Luebke, McCombs, McLaughlin, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Warner, Watson, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 88.

Voting in the negative: Representatives Berry, Creech, Daughtry, Davis, Hensley, Kiser, Lee, Linney, Ramsey, Tolson, and Weatherly - 11.

Excused absences: Representatives Hayes, Hightower, McComas, McCrary, G. Miller, G. Robinson, Sutton, Wainwright, and C. Wilson - 9.

House Committee Substitute for **S.B. 752,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES THAT HAVE PROTECTED MOUNTAIN RIDGES TO ESTABLISH COUNTY SERVICE DISTRICTS TO PROVIDE FOR CERTAIN ROAD NEEDS OF THE DISTRICT AND TO ALLOW UNDER CERTAIN CIRCUMSTANCES THE MAINTENANCE OF PUBLIC ROADS LYING OUTSIDE THE DISTRICT, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan,

Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, Luebke, McCombs, McLaughlin, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nye, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 94.

Voting in the negative: Representatives Creech, Linney, and Nichols - 3.

Excused absences: Representatives Hayes, Hightower, McComas, McCrary, G. Miller, G. Robinson, Sutton, Wainwright, and C. Wilson - 9.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 952,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA BRIDGE AUTHORITY.

Representative Luebke inquires of the Chair under Rule 38(b) if the bill should be on the Calendar since a report has not been received from the Finance Committee. The Speaker rules the bill has been to the Committee on Finance thus, it is properly before the Body.

Representative Morgan inquires if Representative Luebke is out of order having raised a point of order since the Chair has ruled. The Speaker reminds Representative Luebke that he has previously ruled on the issue.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Dickson, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McCombs, McLaughlin, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley,

Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Tolson, Warner, Watson, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 93.

Voting in the negative: Representatives Barnes, Capps, Davis, Decker, Dockham, Ellis, Hackney, Hensley, Hiatt, Linney, K. Miller, and Thompson - 12.

Excused absences: Representatives Blue, Hayes, Hightower, McComas, McCrary, G. Robinson, Sutton, Wainwright, and C. Wilson - 9.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 836,** A BILL TO BE ENTITLED AN ACT TO ENHANCE PARENTAL SUPPORT OF CHILDREN BY AMENDING THE LAW PERTAINING TO CIVIL ACTIONS TO ESTABLISH PATERNITY, passes its third reading, by electronic vote (106-0), and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 229,** A BILL TO BE ENTITLED AN ACT TO REMOVE IMPEDIMENTS AND DISINCENTIVES TO DONATING CONSERVATION LAND OR PRESERVATION STRUCTURES OR SITES, passes its second reading by electronic vote (103-2).

Representative Linney objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 792,** A BILL TO BE ENTITLED AN ACT TO AMEND THE BAIL BOND FORFEITURE PROCEDURE PROVIDED BY ARTICLE 26 OF CHAPTER 15A OF THE GENERAL STATUTES.

On motion of Representative Neely and without objection, consideration of the bill is postponed until July 11.

Committee Substitute for **H.B. 895,** A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE OF FEDERAL MANDATES BY REQUIRING THE CERTIFICATION OF PROPOSED LEGISLATION AND RULES

PURPORTED TO BE REQUIRED BY FEDERAL LAW, TO PROVIDE FOR REVIEW BY THE GOVERNOR OF ADMINISTRATIVE RULES THAT WOULD INCREASE OR DECREASE EXPENDITURES OR REVENUES OF UNITS OF LOCAL GOVERNMENT, TO AMEND THE LOCAL GOVERNMENT FISCAL INFORMATION ACT TO REQUIRE THE PREPARATION OF FISCAL NOTES FOR CERTAIN PROPOSED LEGISLATION, AND TO PROVIDE FOR THE COMPILATION OF THE COSTS OF FEDERAL MANDATES ON THE EXPENDITURES AND REVENUES OF STATE GOVERNMENT AND LOCAL GOVERNMENTS, which was temporarily displaced, is before the Body.

On motion of Representative R. Hunter, the House concurs in Senate Amendment No. 1 by electronic vote (106-0).

On motion of Representative R. Hunter, the House concurs in Senate Amendment No. 2 by electronic vote (104-0).

On motion of Representative R. Hunter, the House concurs in Senate Amendment No. 3, by electronic vote (104-0), and the bill is ordered enrolled.

Committee Substitute No. 2 for **S.B. 135,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PETROLEUM OVERCHARGE FUNDS AND FUNDS FROM THE WORKER TRAINING TRUST FUND APPROPRIATED FOR THE 1993 FISCAL BIENNIUM SHALL NOT REVERT.

Representative Holmes offers Amendment No. 1, which is adopted by electronic vote (103-2).

The bill, as amended, passes its second reading by electronic vote (104-3).

Representative Linney objects to the third reading. The bill remains on the Calendar.

INTRODUCTION OF PAGES

Pages for the week of July 10-14 are introduced to the membership. They are: Katie Adams of Johnston; Grey Allen of Wake; Amy Blackmon of Wake; Laura Bowers of Wake; Christin Butler of Johnston; Heather Capps of Wake; Dallas Dafford, Jr. of Harnett; Kelly Gardner of Johnston; Stuart Horton of Wake; Emily Howell of Wake; Karen Huskins of Wake; Shannon Kelley of

Wake; Meredith Koebley of Johnston; Emily McAdams of Johnston; Adam McCombs of Wake; Aaron McKethan of Watauga; Whitney Moore of Johnston; Melanie Pounds of Johnston; Alisha Puckett of Wake; Stephanie Stanley of Wake; Anna Stavredes of Wake; Annie Tai of Wake; Meda Tilgham of Harnett; Leslie Trantham of Wake; Shannon Warwick of Nash; Hank Whitley of Johnston; and Emily Woodard of Johnston.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Holmes, Creech, and Esposito for the Committee on Appropriations:

H.B. 402, A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF ALL FOSTER PARENTS IN LICENSED FAMILY FOSTER HOMES AND TO APPROPRIATE FUNDS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

House Committee Substitute for **S.B. 388,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PESTICIDE LAW, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar for July 11. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

RE-REFERRAL

On motion of Representative Holmes, pursuant to Rule 39.2, **H.B. 403,** A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF CHILD DAY CARE PROVIDERS, TO STUDY THE USE OF THE CENTRAL REGISTRY ON CHILD ABUSE AND

NEGLECT, AND TO APPROPRIATE FUNDS, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Sexton, the House adjourns at 5:18 p.m. to reconvene July 11 at 2:00 p.m.

NINETY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 11, 1995

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, thank You for our heritage as Americans today. Our history is filled with heroes, Nathan Hale, regretting having only one life to give. Patrick Henry, 'Give me liberty or give me death'. The signers of the Declaration of Independence who risked all and lost all, but won freedom of soul, mind, and life. Character - one cannot adequately describe nor define it, but You recognize it when You see it. I've been amazed this session to recognize how much alike are preachers and politicians. A preacher must be liked and popular, easy to listen to - to be effective, believable, but true to God's Word even when it hurts. Character - A politician must be liked and popular, easy to listen to, catchy phrases, believable and champion popular laws and public notions, but what if the public is wrong? Character re-election, asked to resign. Nothing affects so many as a corrupt preacher or a corrupt politician. And, sadly life's battlefield is littered with the burned out wrecks of both. Like the recruiting poster, 'Uncle Sam wants you'. God's Word points to all who would serve.

'I have made thee a watchman...If thou speakest
not to warn the wicked from his way he shall surely die,
but his blood will I require at thy hand.'
Ezekiel 4:17-19

Character, poets have focused on it's reality:

'The greatest battles that were ever fought
Shall I tell you where or when?
They were not fought on the battlefield,
But in the heart of man.'

Reputation is what men think that I am, character is what I really am.

'Ill fares the land to hastening ills a prey
When wealth accumulates and men decay.'

"It all sounds good, Lord, but this is me. You just don't know the pressures I face: family, constituents, campaign contributions, collection plate offerings, special interest groups, the woman's missionary union, my rich beer drinking deacon. Lord, You know I want to be re-elected, I don't want to resign. That seal I've walked over every day, 'Esse Quam Videri'. Sometime I just close my eyes and feel for the door. Lord, what did You put that thing there for anyway? Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (103-3).

Leaves of absence are granted Representatives Hightower, McCrary, Neely, and G. Robinson for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 293, AN ACT TO PERMIT THE IMPORTATION AND BOTTLING OF SPIRITUOUS LIQUOR WITHIN FOREIGN TRADE ZONES LOCATED AT THE WILMINGTON AND MOREHEAD CITY PORTS. (CHAPTER 404)

S.B. 541, AN ACT TO PROVIDE FOR REVIEW OF THE DIRECTOR OF SOCIAL SERVICES' DECISIONS NOT TO FILE ABUSE, NEGLECT, OR DEPENDENCY PETITIONS AND TO MAKE CLARIFYING CHANGES TO THE LAW GOVERNING INVESTIGATIONS OF REPORTS OF ABUSE, NEGLECT, AND DEPENDENCY. (CHAPTER 411)

H.B. 556, AN ACT TO ENABLE JOINT MUNICIPAL POWER AGENCIES TO EFFECT CORPORATE REORGANIZATION AND TO MAKE TECHNICAL CHANGES TO THE STATUTES GOVERNING JOINT MUNICIPAL POWER AGENCIES. (CHAPTER 412)

H.B. 447, AN ACT TO REQUIRE AN AMBULANCE PROVIDER LICENSE. (CHAPTER 413)

H.B. 826, AN ACT TO PROVIDE FOR THE LICENSING OF SOIL SCIENTISTS. (CHAPTER 414)

H.B. 895, AN ACT TO PROVIDE NOTICE OF FEDERAL MANDATES BY REQUIRING THE CERTIFICATION OF PROPOSED LEGISLATION AND RULES PURPORTED TO BE REQUIRED BY FEDERAL LAW, TO PROVIDE FOR REVIEW BY THE GOVERNOR OF ADMINISTRATIVE RULES THAT WOULD INCREASE OR DECREASE EXPENDITURES OR REVENUES OF UNITS OF LOCAL GOVERNMENT, TO AMEND THE LOCAL GOVERNMENT FISCAL INFORMATION ACT TO REQUIRE THE PREPARATION OF FISCAL NOTES FOR CERTAIN PROPOSED LEGISLATION, AND TO PROVIDE FOR THE COMPILATION OF THE COSTS OF FEDERAL MANDATES ON THE EXPENDITURES AND REVENUES OF STATE GOVERNMENT AND LOCAL GOVERNMENTS. (CHAPTER 415)

S.B. 119, AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS AND ARCHITECTS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER WITHOUT COMPENSATION. (CHAPTER 416)

S.B. 430, AN ACT TO MODIFY THE INVESTMENT AUTHORITY OF A BANK UNDER THE BANKING LAWS. (CHAPTER 417)

S.B. 525, AN ACT TO REQUIRE THE STATE HEALTH DIRECTOR TO PREPARE A MEDICAL AND HEALTH BENEFITS PLAN. (CHAPTER 418)

S.B. 558, AN ACT TO PROVIDE FOR EXPEDITED EVICTION OF PERSONS ENGAGED IN DRUG-RELATED CRIMINAL ACTIVITY AND OTHER CRIMINAL ACTIVITY THAT THREATENS THE HEALTH, SAFETY, OR PEACEFUL ENJOYMENT OF RENTAL PROPERTY. (CHAPTER 419)

S.B. 1080, AN ACT TO PLACE CERTAIN RESTRICTIONS ON THE SITING OF SWINE HOUSES AND LAGOONS. (CHAPTER 420)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar and Operations of the House:

S.J.R. 515, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FRANKLIN "FRANK" W. HOWEY, SR., OF UNION COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 590,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 691,** A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Holmes, Creech, and Esposito for the Committee on Appropriations:

H.B. 305, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for July 12. The original bill is placed on the Unfavorable Calendar.

H.B. 984, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL AND TO AMEND CHAPTER 451 OF THE 1993 SESSION LAWS REGARDING A WHOLLY SELF-LIQUIDATING PROJECT AT THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Holmes, Committee Amendment No. 1 is adopted by electronic vote (109-0).

The bill, as amended, is re-referred to the Committee on Finance.

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

H.B. 995, A BILL TO BE ENTITLED AN ACT TO STIMULATE A SUBSTANTIAL INCREASE IN VENTURE CAPITAL INVESTMENTS IN NORTH CAROLINA BY ALLOWING AN INSURANCE PREMIUMS TAX CREDIT FOR THESE INVESTMENTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

House Committee Substitute No. 3 for **S.B. 52,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF CHAPTER 146 CONCERNING SUBMERGED LANDS OR LANDS COVERED BY NAVIGABLE WATERS, with a favorable report as to House Committee Substitute Bill No. 4, which changes the title, unfavorable as to House

Committee Substitute Bill No. 3.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 4 is placed on the Calendar. House Committee Substitute Bill No. 3 is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

Committee Substitute No. 3 for **S.B. 971,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR GUBERNATORIAL NOMINATION OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS, LEGISLATIVE CONFIRMATION, AND RETENTION BY VOTE OF THE PEOPLE, TO PROVIDE FOR ELECTION OF SUPERIOR COURT JUDGES WITHIN THEIR DISTRICTS, AND TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE SUPERIOR COURT DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM FOR CERTAIN SUPERIOR COURT JUDGES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 3 and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The House committee substitute bill is re-referred to the Committee on Appropriations. Senate Committee Substitute Bill No. 3 is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 10, 1995

Mr. Speaker:

Pursuant to your message received Thursday, July 6, 1995 that the House of Representatives fails to concur in Senate Amendment No. 2 to **H.B. 873,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE SUBSTANCES THAT APPLICATORS OF PESTICIDES ARE AUTHORIZED TO APPLY AND

TO PROVIDE FOR THE PESTICIDE APPLICATOR'S LICENSE TO BE REVOKED, SUSPENDED, OR DENIED FOR VIOLATING THIS LIMITATION, and requests conferees, the President Pro Tempore appoints:

Senator Albertson, Chairman
Senator Speed
Senator Blackmon
Senator Carrington

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 10, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 200** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CIVIL PENALTIES FOR VIOLATIONS OF THE GASOLINE AND OIL INSPECTION LAW, THE MEAT INSPECTION LAW, AND THE ANIMAL WELFARE AND ANIMAL HEALTH LAWS, which the House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 200** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 2 OF CHAPTER 119 OF THE GENERAL STATUTES REGARDING THE REGULATION OF REREFINED OR REPROCESSED OIL, and requests conferees. The President Pro Tempore appoints:

Senator Albertson, Chairman
Senator Blackmon
Senator Carrington
Senator Hobbs

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Morgan, Chair; J. Brown, Dockham, and Gray as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 10, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 237** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE USE VALUE TAX LAW, TO UPDATE THE LAW TO CONFORM TO MODERN FAMILY PROPERTY TRANSACTIONS, AND TO EXPAND THE CATEGORY OF RELATIVES WHO MAY QUALIFY FOR USE VALUE PROPERTY TRANSFERS, and requests conferees. The President Pro Tempore appoints:

Senator Kerr, Chairman
Senator Albertson
Senator Speed
Senator Kincaid

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 10, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Amendments No. 1, No. 2, and No. 3 to **S.B. 559** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACCEPTANCE OF RENT BY A HOUSING AUTHORITY IS NOT A WAIVER OF DEFAULT AND TO AUTHORIZE HOUSING AUTHORITIES TO GOVERN ENTRY UPON HOUSING AUTHORITY PROPERTY BY GUESTS AND VISITORS, and requests conferees. The President Pro Tempore appoints:

Senator Odom, Chairman
Senator Blackmon
Senator Cooper
Senator Carrington

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 10, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 865** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE LAWS REGARDING THE PURCHASE OF A HANDGUN TO CONFORM TO THE REQUIREMENTS OF THE "BRADY HANDGUN VIOLENCE PREVENTION ACT", and requests conferees. The President Pro Tempore appoints:

Senator Cochrane, Chairman
Senator Kerr
Senator Cooper
Senator Simpson

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute for **H.B. 718,** A BILL TO BE ENTITLED AN ACT TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 12.

Upon concurrence, the Senate committee substitute changes the title.

The Speaker rules the Senate committee substitute to be material, thus constituting its first reading.

Committee Substitute for **S.B. 528,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MEDIATED SETTLEMENT CONFERENCES IN CIVIL ACTIONS IN SUPERIOR COURT, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute No. 2 for **H.B. 311,** A BILL TO BE ENTITLED AN ACT TO MAKE USE OF A COUNTERFEIT TRADEMARK A CRIME IN NORTH CAROLINA, is returned for concurrence in Senate Committee Substitute No. 2 and placed on the Calendar for July 12.

Upon concurrence, Senate Committee Substitute No. 2 changes the title.

S.B. 976, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE PAID TO AGENTS OF THE WILDLIFE RESOURCES COMMISSION TO ISSUE CERTIFICATES OF BOAT NUMBER AND TO AMEND THE

DUTIES OF THE WILDLIFE RESOURCES COMMISSION WITH REGARD TO THE APPOINTMENT OF AGENTS FOR THE ISSUANCE OF BOAT NUMBERS, is read the first time and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

House Committee Substitute for **S.B. 606,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF FACILITY AUTHORITIES AND TO ESTABLISH THE CENTENNIAL AUTHORITY.

On motion of Representative C. Wilson, the bill is temporarily displaced.

House Committee Substitute for **S.B. 404,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRITERIA FOR SELECTION AND SENTENCING TO IMPACT, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 668, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE STATUTE PERMITTING PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION.

The bill, as amended, passes its second reading, by electronic vote (97-12).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 844,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAW.

On motion of Representative Barbee, the House concurs in Senate Amendment No. 1 by electronic vote (105-1).

On motion of Representative Barbee, the House concurs in Senate Amendment No. 2, by electronic vote (110-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 761,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSURE OF FOREIGN LEGAL CONSULTANTS AND TO AUTHORIZE FOREIGN LEGAL CONSULTANTS TO ENGAGE IN A LIMITED PRACTICE OF LAW IN NORTH CAROLINA.

On motion of Representative Hensley, the House concurs in Senate Amendment No. 1 by electronic vote (110-2).

On motion of Representative Hensley, the House concurs in Senate Amendment No. 2 by electronic vote (112-1).

On motion of Representative Hensley, the House concurs in Senate Amendment No. 3, by electronic vote (113-0), and the bill is ordered enrolled.

Senate Committee Substitute No. 2 for **H.B. 353,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED.

On motion of Representative Hackney, the House does not concur in Senate Committee Substitute No. 2, by electronic vote (108-5), and conferees are requested. The Senate is so notified by Special Message.

Committee Substitute No. 2 for **H.B. 626,** A BILL TO BE ENTITLED AN ACT TO CREATE FIRE DISTRICTS IN SCOTLAND COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson,

G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Hightower, McCrary, Neely, and G. Robinson - 4.

Committee Substitute No. 2 for **H.B. 555,** A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA BOXING COMMISSION.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representatives Baker and Gamble - 2.

Excused absences: Representatives Hightower, McCrary, Neely, and G. Robinson - 4.

Committee Substitute for **H.B. 952,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA BRIDGE AUTHORITY, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter,

Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Earle, Easterling, Edwards, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Kiser, Lee, Locke, Luebke, McAllister, McComas, McCombs, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

Voting in the negative: Representatives Barnes, Blue, Braswell, Capps, Davis, Dockham, Eddins, Ellis, Hackney, Hiatt, Linney, K. Miller, and Thompson - 13.

Excused absences: Representatives Hightower, McCrary, Neely, and G. Robinson - 4.

House Committee Substitute No. 2 for **S.B. 159,** A BILL TO BE ENTITLED AN ACT TO REWRITE CHAPTER 48 OF THE GENERAL STATUTES RELATING TO ADOPTION AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative C. Wilson, the bill is temporarily displaced.

House Committee Substitute for **S.B. 229,** A BILL TO BE ENTITLED AN ACT TO REMOVE IMPEDIMENTS AND DISINCENTIVES TO DONATING CONSERVATION LAND OR PRESERVATION STRUCTURES OR SITES.

Representative Linney offers Amendment No. 1.

Representative Morgan calls the previous question on the amendment and the call is sustained by electronic vote (91-18).

Amendment No. 1 fails of adoption by electronic vote (11-101).

The bill passes its third reading, by electronic vote (99-10), and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Committee Substitute No. 2 for **S.B. 135,** A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT PETROLEUM OVERCHARGE FUNDS AND FUNDS FROM THE WORKER TRAINING TRUST FUND APPROPRIATED FOR THE 1993 FISCAL BIENNIUM SHALL NOT REVERT.

The bill, as amended, passes its third reading, by electronic vote (110-1), and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 792,** A BILL TO BE ENTITLED AN ACT TO AMEND THE BAIL BOND FORFEITURE PROCEDURE PROVIDED BY ARTICLE 26 OF CHAPTER 15A OF THE GENERAL STATUTES.

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 864,** A BILL TO BE ENTITLED AN ACT TO REQUIRE DOMICILIARY CARE HOMES TO SUBMIT ANNUAL AUDITED REPORTS OF ACTUAL COSTS AND TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES TO ADOPT RULES TO ENSURE QUALITY OF CARE IN DOMICILIARY CARE HOMES.

On motion of Representative Gardner, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 258,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RECORD-KEEPING RESPONSIBILITIES OF CLERKS OF SUPERIOR COURT IN IV-D CHILD SUPPORT CASES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 453, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES

IN THE PROSPECTIVE TEACHERS SCHOLARSHIP LOAN PROGRAM, passes its second reading by electronic vote (108-5).

Representative McLaughlin objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 499, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAYMENT OF ADDITIONAL BENEFITS TO RESCUE AND EMERGENCY MEDICAL SERVICES WORKERS, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 955, A BILL TO BE ENTITLED AN ACT PROHIBITING THE UNAUTHORIZED USE OF WIRELESS TELECOMMUNICATIONS SERVICES AND ESTABLISHING CIVIL AND CRIMINAL PENALTIES FOR ACTS RELATING TO SUCH USE, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 815, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO VOTING PRECINCTS, passes its second reading, by electronic vote (108-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 491,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE MINIMUM STREAMFLOW REQUIRED IN THE LENGTH OF THE STREAM AFFECTED BY CERTAIN DAMS OPERATED BY SMALL HYDROELECTRIC POWER PRODUCERS, passes its second reading, by electronic vote (110-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 388,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PESTICIDE LAW.

Representative Luebke offers Amendment No. 1.

Representative Daughtry inquires of the Chair if the amendment is germane to the bill. The Chair rules the amendment not to be germane.

The bill passes its second reading by electronic vote (86-24).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 864,** A BILL TO BE ENTITLED AN ACT TO REQUIRE DOMICILIARY CARE HOMES TO SUBMIT ANNUAL AUDITED REPORTS OF ACTUAL COSTS AND TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES TO ADOPT RULES TO ENSURE QUALITY OF CARE IN DOMICILIARY CARE HOMES, which was temporarily displaced, is before the Body.

Representative Shubert offers Amendment No. 1 which is adopted by electronic vote (110-1).

The bill, as amended, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 792,** A BILL TO BE ENTITLED AN ACT TO AMEND THE BAIL BOND FORFEITURE PROCEDURE PROVIDED BY ARTICLE 26 OF CHAPTER 15A OF THE GENERAL STATUTES, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute No. 2 for **S.B. 159,** A BILL TO BE ENTITLED AN ACT TO REWRITE CHAPTER 48 OF THE GENERAL STATUTES RELATING TO ADOPTION AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, which was temporarily displaced, is before the Body.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Hightower, McCrary, and G. Robinson - 3.

CONFERENCE REPORT

Representative Grady sends forth the Conference Report on House Committee Substitute for **S.B. 6,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 12.

CONFEREES APPOINTED

The Speaker announces the following conferees on Senate Committee Substitute No. 2 for **H.B. 353,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED: Representatives Hackney, Chair; Neely, Bowie, and Kiser.

The Senate is so notified by Special Message.

The Speaker announces the following conferees on House Committee Substitute for **S.B. 237,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE USE VALUE TAX LAW, TO UPDATE THE LAW TO CONFORM TO MODERN FAMILY PROPERTY TRANSACTIONS, AND TO EXPAND THE CATEGORY OF RELATIVES WHO MAY QUALIFY FOR USE VALUE PROPERTY TRANSFERS: Representatives Creech, Mercer, W. Brown, and Buchanan.

The Senate is so notified by Special Message.

The Speaker announces the following conferees on Committee Substitute for **S.B. 559,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACCEPTANCE OF RENT BY A HOUSING AUTHORITY IS NOT A WAIVER OF DEFAULT AND TO AUTHORIZE HOUSING AUTHORITIES TO GOVERN ENTRY UPON HOUSING AUTHORITY PROPERTY BY GUESTS AND VISITORS: Representatives Daughtry, Chair; Blue, Pulley, and G. Robinson.

The Senate is so notified by Special Message.

The Speaker announces the following conferees on House Committee Substitute for **S.B. 865,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE LAWS REGARDING THE PURCHASE OF A HANDGUN TO CONFORM TO THE REQUIREMENTS OF THE "BRADY HANDGUN VIOLENCE PREVENTION ACT": Representatives Ellis, Nichols, Michaux, and Wilkins.

The Senate is so notified by Special Message.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

House Committee Substitute No. 2 for **S.B. 974,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURAL BY-PRODUCTS TO BE CERTIFIED, with a favorable report as to House Committee Substitute Bill No. 3, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 3 is placed on the Calendar. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

DISCHARGE MOTION FILED

Pursuant to Rule 39(b), Representative Fitch files a motion to discharge the Committee on Finance from further consideration of **H.B. 838,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR SCHOOL-RELATED CAPITAL IMPROVEMENTS, with petition attached signed by the following members:

Representatives Fitch, Cunningham, Adams, Wright, W. Brown, Womble, Easterling, Bowen, Lemmond, McAllister, Hightower, Barnes, Michaux, Oldham, Fox, Owens, Alexander, Church, Wilkins, Black, Wainwright, Earle, Hurley, Mercer, Lee, Locke, Tolson, Rogers, Gamble, Nichols, Yongue, G. Miller, H. Hunter, Cocklereece, Watson, Grady, J. Robinson, Luebke, Redwine, Preston, Allred, Sutton, Crawford, Linney, McCrary, Shaw, Sharpe, Boyd-McIntyre, Beall, R. Hunter, Hensley, Berry, G. Wilson, Richardson, McLaughlin, Culpepper, Braswell, Warner, Pulley, Sherrill, and Blue.

The motion is placed on the Calendar as a Special Order of Business for July 12.

On motion of Representative Morgan, seconded by Representative Wright, the House adjourns at 4:30 p.m. to reconvene July 12 at 2:00 p.m.

NINETY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, July 12, 1995

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, I just want to say thank You for the Happy Birthday that our Speaker and the good folks of this House gave me yesterday. House rules don't allow anyone but elected members to speak, but I can tell You and they can listen if they want to. That was a real serendipity, a moment to cherish and remember, and I am grateful, especially when you have come to a place and time when you wonder about life, can't believe that you ever did, and wish that you still could. I would like to concur with Representative Dickson. He said what I would like to have said beautifully. Must be something unique about being born on the eleventh of July. Like he said, the first part of your life you just can't wait to get old enough, and then you reach 'cross over' and you begin to wonder who unplugged the toaster. You just don't pose much of a threat anymore. The ladies either sit with you 'cause they want to feel safe, or they take your arm to keep you from stubbing your toe and messing up what you got left. But I can remember a time, fresh as a new-licked calf. Dot and I had eye-flirted in church and I had been going over to her house on a pretty regular schedule, but not a whole lot was happening yet because I didn't know how to handle what caused it. Then one March I learned that city fellows sometimes took their girls flowers, and so I picked some buttercups, wrapped a wet paper sack around the stems and took them with me. She met me at the door, had a fire going in the fireplace; we walked over to it. I took the flowers out from behind my back and handed them to her. She took them; her eyes just melted. She threw her arms around my neck and kissed me, I mean she gave me a magnum load. When the room stopped spinning so that I could see, I bolted for the door. She cut me off just as I got there. 'What's the matter? Did I do something wrong?' She said, 'Where are you going?' I spluttered, 'I'm going to get another bunch of flowers!' And so, here I am four kids and six grandchildren later, and still picking flowers. Well, thank You, Lord, these good folks have got to get down to work. A lot of important bills still to consider. So guide and direct them in all that they do. Help them to have wisdom in all they do. For Jesus sake. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 11 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (102-4).

Leaves of absence are granted Representatives Braswell, Hightower, McCrary, and Rogers for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 499, AN ACT TO ALLOW THE PAYMENT OF ADDITIONAL BENEFITS TO RESCUE AND EMERGENCY MEDICAL SERVICES WORKERS. (CHAPTER 421)

S.B. 798, AN ACT AUTHORIZING SANITARY DISTRICTS TO PROVIDE STREETS AND LAW ENFORCEMENT SERVICES AND ALLOWING SMALL SANITARY DISTRICTS TO COMPENSATE BOARD MEMBERS IN THE SAME MANNER AS LARGE SANITARY DISTRICTS. (CHAPTER 422)

S.B. 815, AN ACT TO AMEND THE LAW RELATING TO VOTING PRECINCTS. (CHAPTER 423)

S.B. 836, AN ACT TO ENHANCE PARENTAL SUPPORT OF CHILDREN BY AMENDING THE LAW PERTAINING TO CIVIL ACTIONS TO ESTABLISH PATERNITY. (CHAPTER 424)

S.B. 955, AN ACT PROHIBITING THE UNAUTHORIZED USE OF WIRELESS TELECOMMUNICATIONS SERVICES AND ESTABLISHING CIVIL AND CRIMINAL PENALTIES FOR ACTS RELATING TO SUCH USE. (CHAPTER 425)

H.B. 576, AN ACT TO INCORPORATE THE TOWN OF SUMMERFIELD, SUBJECT TO A REFERENDUM. (CHAPTER 426)

H.B. 761, AN ACT TO PROVIDE FOR THE LICENSURE OF FOREIGN LEGAL CONSULTANTS AND TO AUTHORIZE FOREIGN LEGAL CONSULTANTS TO ENGAGE IN A LIMITED PRACTICE OF LAW IN NORTH CAROLINA. (CHAPTER 427)

H.B. 844, AN ACT TO AMEND THE VITAL RECORDS LAW. (CHAPTER 428)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Holmes, Creech, and Esposito for the Committee on Appropriations:

House Committee Substitute for **S.B. 931,** A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFEGUARDS TO REDUCE THE CHANCES AND LESSEN THE EFFECTS OF WORKERS' COMPENSATION SELF-INSURANCE INSOLVENCIES AND APPROPRIATE FUNDS TO IMPLEMENT THIS ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **S.B. 723,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Senate Committee Substitute for **H.B. 222,** A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION TO G.S. 120-70.2 REGARDING FILLING OF VACANCIES ON THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, with recommendation that the House concur. The bill is placed on the Calendar of July 13.

S.B. 901, A BILL TO BE ENTITLED AN ACT TO PROVIDE PARITY

BETWEEN THE PRESIDENT PRO TEMPORE AND THE SPEAKER BY HAVING CERTAIN APPOINTMENTS MADE BY OR UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE RATHER THAN THE PRESIDENT OF THE SENATE, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative G. Robinson for the Committee on Business and Labor:

Committee Substitute No. 2 for **S.B. 973,** A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA WORKERS' COMPENSATION LOSS COSTS RATING LAW, with a favorable report as to House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The House committee substitute bill is re-referred to the Committee on Appropriations. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 11, 1995

Mr. Speaker:

On **S.B. 6** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CONFERENCE REPORT

Representative Preston sends forth the Conference Report on Senate Committee Substitute for **H.B. 6,** A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, AND TO MAKE CONFORMING STATUTORY CHANGES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 13.

SUBCOMMITTEE REFERRAL

Representatives Holmes, Creech, and Esposito, Co-Chairs for the Standing Committee on Appropriations, refer Committee Substitute for **H.B. 232,** A BILL TO BE ENTITLED AN ACT TO MAKE VICTIM IMPACT STATEMENTS AND PLEA BARGAINING INFORMATION FOR VICTIMS MANDATORY IN ALL FELONY CASES, to the Permanent Subcommittee on Justice and Public Safety.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 12, 1995

Mr. Speaker:

Pursuant to your message received Wednesday, July 12, 1995 that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 353** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED, and requests conferees, the President Pro Tempore appoints:

Senator Odom, Chairman
Senator Cooper
Senator Ballantine
Senator Forrester
Senator Rand

on the part of the Senate to confer with the committee appointed by your

Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker adds Representative Culpepper as a conferee on the bill and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 12, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 320** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM CUSTODIAL TRUST ACT AND TO MAKE CONFORMING AMENDMENTS TO THE POWER OF ATTORNEY STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, and requests conferees. The President Pro Tempore appoints:

Senator Hartsell, Chairman
Senator Gulley
Senator Kerr

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 11, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 415,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS, which the House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 415** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS AND TO LIMIT THE SIMULTANEOUS CONVERSION/MERGERS OF MUTUAL AND STOCK INSTITUTIONS, and requests conferees. The President Pro Tempore appoints:

Senator Soles, Chairman
Senator Warren
Senator Smith
Senator Kincaid

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Tallent, Chair; Church, R. Hunter, and Allred as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 12, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee

Substitute bill to **S.B. 649,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SWEET POTATO ASSESSMENTS TO BE PAID BY PRODUCERS OF SWEET POTATOES, which proposes to change the title, upon concurrence, to read **S.B. 649** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING SWEET POTATOES, and requests conferees. The President Pro Tempore appoints:

Senator Albertson, Chairman
Senator Speed
Senator Warren
Senator Davis
Senator Soles
Senator Lucas
Senator Horton

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives J. Brown, Arnold, Mitchell, Russell, Carpenter, Fox, and J. Robinson as conferees on the part of the House and the Senate is so notified by Special Message.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute No. 2 for **H.B. 694,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRIVATE SERVICE OF PROCESS IN WAKE COUNTY, is returned for concurrence in three Senate amendments and placed on the Calendar for July 13.

Senate Committee Substitute for **H.B. 807,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE CRIMINAL RECORD CHECKS TO HOME CARE AGENCIES AND HOSPICES, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 13.

The Speaker rules the Senate committee substitute to be material, thus

constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 914,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPOINTMENT AND CONDITIONS OF OFFICE OF MEMBERS OF THE BOARDS OF TRUSTEES OF COMMUNITY COLLEGES, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 13.

Upon concurrence, the Senate committee substitute changes the title.

S.B. 776, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TASK FORCE TO DETERMINE A MINIMUM REIMBURSEMENT RATE FOR ADULT DEVELOPMENTAL ACTIVITY PROGRAMS (ADAP), is read the first time and referred to the Committee on Appropriations, Subcommittee on Human Resources.

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute for **S.B. 320,** A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM CUSTODIAL TRUST ACT AND TO MAKE CONFORMING AMENDMENTS TO THE POWER OF ATTORNEY STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION: Representatives Daughtry, Linney, and W. Brown.

The Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

SPECIAL ORDER OF BUSINESS

MOTION TO DISCHARGE BILL FROM COMMITTEE

Pursuant to Rule 39(b), Representative Fitch moves that **H.B. 838,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR SCHOOL-RELATED CAPITAL

IMPROVEMENTS, be discharged from the Committee on Finance.

Representative Brawley moves, seconded by Representative Thompson, that the motion be tabled.

Representative Fitch inquires of the Chair if the motion to discharge is a procedural motion. The Speaker rules that it is not a procedural motion, but falls in the miscellaneous category in Rule 20(h) and is subject to all higher motions.

The motion to table fails by electronic vote (49-61).

Representative Linney inquires of the Chair if the motion is merely to bring the bill to the floor from committee. The Chair states that it may be interpreted that way.

Representative Fitch calls the previous question on the motion and the call is sustained by electronic vote (89-24).

The motion to discharge carries, by electronic vote (64-48), and the bill is placed on the Calendar of July 13 as a Special Order of Business.

CALENDAR (continued)

House Committee Substitute for **S.B. 606,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF FACILITY AUTHORITIES AND TO ESTABLISH THE CENTENNIAL AUTHORITY.

Representative Howard offers Amendment No. 6 which is adopted by electronic vote (106-2).

Representative Miner calls the previous question on the passage of the bill and the call is sustained by electronic vote (97-15).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Barbee, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Church, Culp, Culpepper,

Cummings, Cunningham, Daughtry, Dickson, Earle, Easterling, Edwards, Fitch, Fox, Grady, Gray, Hayes, Hensley, Hill, Hunt, R. Hunter, Ives, Justus, Lee, Locke, Luebke, McAllister, McComas, McCombs, McLaughlin, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Preston, Pulley, Ramsey, Redwine, Richardson, G. Robinson, J. Robinson, Sexton, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 73.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Barnes, Berry, Capps, Carpenter, Cocklereece, Crawford, Creech, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Gamble, Gardner, Hackney, Hiatt, Holmes, Howard, H. Hunter, Hurley, Kiser, Lemmond, Linney, Michaux, K. Miller, Nichols, Pate, Rayfield, Reynolds, Russell, Sharpe, Sutton, Warner, Weatherly, and Wood - 40.

Excused absences: Representatives Braswell, Hightower, McCrary, and Rogers - 4.

CONFERENCE REPORT

Representative Grady moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 6

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 6, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME., Sixth Edition Engrossed 6/7/95, submit the following report:

The Senate concurs in the House Committee Substitute Favorable 6/1/95, as amended, as engrossed in the Sixth Edition Engrossed 6/7/95, with the following amendment:

on page 1, line 8 through page 2, line 27,
by rewriting the lines to read:

"(1) **Basic rights.** Victims of crime, as prescribed by law, shall be entitled to the following basic rights:

(a) The right as prescribed by law to be informed of and to be present at court proceedings of the accused.

(b) The right to be heard at sentencing of the accused in a manner prescribed by law, and at other times as prescribed by law or deemed appropriate by the court.

(c) The right as prescribed by law to receive restitution.

(d) The right as prescribed by law to be given information about the crime, how the criminal justice system works, the rights of victims, and the availability of services for victims.

(e) The right as prescribed by law to receive information about the conviction or final disposition and sentence of the accused.

(f) The right as prescribed by law to receive notification of escape, release, proposed parole or pardon of the accused, or notice of a reprieve or commutation of the accused's sentence.

(g) The right as prescribed by law to present their views and concerns to the Governor or agency considering any action that could result in the release of the accused, prior to such action becoming effective.

(h) The right as prescribed by law to confer with the prosecution.

(2) **No money damages; other enforcement.** Nothing in this section shall be construed as creating a claim for money damages against the State, a county, a municipality, or any of the agencies, instrumentalities, or employees thereof. The General Assembly may provide for other remedies to ensure adequate enforcement of this section.

(3) **No ground for relief in criminal case.** The failure or inability of any person to provide a right or service provided".

The House agrees to the same.

The conferees recommend that the Senate and House of Representatives

adopt this report.

Date conferees approved report: June ___, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Roy A. Cooper, III	S/ Robert Grady
S/ James S. Forrester	S/ Alex Warner
S/ Ed N. Warren	S/ Richard T. Morgan

The Conference Report is adopted, by electronic vote (111-0), and the Senate is so notified by Special Message.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 718,** A BILL TO BE ENTITLED AN ACT TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND.

On motion of Representative Gray, the House does not concur in the material Senate committee substitute, by the following vote, and conferees are requested.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representative Blue.

Excused absences: Representatives Braswell, Hightower, McCrary, and

Rogers - 4.

The Speaker appoints Representatives Gray and Black as conferees on the part of the House and the Senate is so notified by Special Message.

Senate Committee Substitute No. 2 for **H.B. 311,** A BILL TO BE ENTITLED AN ACT TO MAKE USE OF A COUNTERFEIT TRADEMARK A CRIME IN NORTH CAROLINA.

On motion of Representative G. Robinson, the House concurs in Senate Committee Substitute No. 2, which changes the title, by electronic vote (111-1), and the bill is ordered enrolled.

House Committee Substitute No. 2 for **S.B. 159,** A BILL TO BE ENTITLED AN ACT TO REWRITE CHAPTER 48 OF THE GENERAL STATUTES RELATING TO ADOPTION AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Braswell, Hightower, McCrary, and Rogers - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 57,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL AND TO MAKE OTHER CHANGES IN THE ABC LAWS.

Representative Culpepper offers Amendment No. 1 which is adopted by electronic vote (92-12).

Representative Redwine offers Amendment No. 2 which is adopted by electronic vote (98-6).

Representative Neely calls the previous question on the passage of the bill and the call is sustained by electronic vote (77-28).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Barnes, Berry, Black, Blue, Bowen, Bowie, Brawley, Cansler, Cocklereece, Crawford, Culpepper, Cummings, Cunningham, Daughtry, Earle, Easterling, Esposito, Fitch, Fox, Gamble, Grady, Gray, Hackney, Hensley, Hill, Hurley, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Oldham, Owens, Pate, Preston, Pulley, Redwine, Richardson, J. Robinson, Sexton, Sharpe, Sherrill, Sutton, Tallent, Tolson, Wainwright, Watson, Wilkins, G. Wilson, Womble, Wright, and Yongue - 65.

Voting in the negative: Representatives Aldridge, Allred, Baker, Barbee, Boyd-McIntyre, J. Brown, Buchanan, Capps, Carpenter, Clary, Creech, Culp, Davis, Decker, Dockham, Eddins, Ellis, Gardner, Hayes, Hiatt, Holmes, Howard, Hunt, Ives, Justus, Kiser, Linney, McCombs, K. Miller, Nye, Rayfield, Reynolds, Russell, Thompson, Warner, Weatherly, C. Wilson, and Wood - 38.

Excused absences: Representatives Braswell, Hightower, McCrary, G. Robinson, and Rogers - 5.

S.B. 668, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE STATUTE PERMITTING PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION.

Representative Michaux offers Amendment No. 2 which is adopted by electronic vote (98-2).

The bill, as amended, passes its third reading, by electronic vote (102-1), and is ordered sent to the Senate for concurrence in House amendments by Special Message.

S.B. 453, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE PROSPECTIVE TEACHERS SCHOLARSHIP LOAN PROGRAM, passes its third reading, by electronic vote (97-5), and is ordered enrolled.

House Committee Substitute No. 2 for **S.B. 388,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PESTICIDE LAW.

Representative Luebke offers Amendment No. 1.

On motion of Representative Nichols, seconded by Representative J. Brown, Amendment No. 1 is tabled by electronic vote (57-46).

Representative Nichols calls the previous question on the passage of the bill and the call is sustained by electronic vote (77-25).

The bill passes its third reading, by electronic vote (94-12), and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 305,** A BILL TO BE ENTITLED AN ACT TO FURTHER EXTEND EXPIRING PROVISIONS, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Arnold, and C. Wilson for the Committee on

Finance:

Committee Substitute for **H.B. 402,** A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF ALL PERSONS WHO PROVIDE FOSTER CARE, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar for July 13. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

House Committee Substitute No. 3 for **S.B. 345,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS, with a favorable report as to House Committee Substitute Bill No. 4, unfavorable as to House Committee Substitute Bill No. 3.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 4 is placed on the Calendar. House Committee Substitute Bill No. 3 is placed on the Unfavorable Calendar.

S.B. 1055, A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXCISE TAX ON NEWSPRINT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 13.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute for **S.B. 695,** A BILL TO BE ENTITLED AN ACT TO CREATE THE BLUE RIBBON STUDY COMMISSION ON AGRICULTURE WASTE, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The House committee substitute bill is re-referred to the Committee on Appropriations. The Senate committee substitute bill is placed on the Unfavorable Calendar.

RE-REFERRAL

On motion of Representative Morgan and without objection, pursuant to Rule 39.2, **H.B. 909,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COURT TO ORDER CERTAIN DEFENDANTS TO POST A PROBATION BOND AS A CONDITION OF PROBATION, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan, House Committee Substitute No. 4 for **S.B. 52,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF CHAPTER 146 CONCERNING STATE-OWNED SUBMERGED LANDS, is withdrawn from the Calendar and re-referred to the Committee on Health and Environment by electronic vote (75-24).

On motion of Representative Morgan, seconded by Representative Barnes, the House adjourns at 4:38 p.m. to reconvene July 13 at 10:00 a.m.

NINETY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, July 13, 1995

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, I didn't know what the mood would be yesterday, and so I guess that I missed it prayer-wise, but I did want to say thank You. I sensed something as I parked on Wilmington Street and walked this way. It's strange how human emotions are almost transmitted through the air, and when I opened the door, I felt this almost psychic pall that seemed to permeate the place. It almost seemed that I could hear muffled and yet clashing sounds of combat. So this is politics, I mused. Father, I have prayed for and with these folks for six months now and have appreciation for people on both sides of the aisle. This is America, this is democracy, and this is my country. As debate unfolds as it has in the past, will today, and in the days to come, I pray that that which is true, and best, and right for our state and nation will prevail. May

personal gain be secondary to what is best for the people. Political expediency and statesmanship will surely clash. May righteousness prevail. In Philadelphia at the birth of our nation the venerable Franklin said to this effect, 'If God so notes a sparrow's fall is it not a thing inconceivable that an enduring nation can be born without the guidance and protection of Divine Providence'. And, the United States, a nation based upon principles found in God's Word, was born. She has not always adhered to those principles and when she strayed, dire consequences ensued. Experience is a harsh but impartial teacher. In any political crisis were my hope in man alone or the public mind I should go mad. The papers, the media, what can I say:

'The birds are singing - well I bet
They haven't read the papers yet -
Or else, they saw a supplement,
Or heard report from Heaven sent.

'Perhaps enough to have today -
To feel the sun, to know the way
To build a nest - the way to fly
With their example, Lord may I

'Rejoice because You rule the day -
No matter what the papers say.' - J. Lauber

"Through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 12 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-5).

Leaves of absence are granted Representatives Clary, McCrary, Rogers, and Shaw for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 4, AN ACT TO REPEAL THE LAW PROVIDING THAT A DEFENDANT MAY CHOOSE IMPRISONMENT RATHER THAN PROBATION OR AN ALTERNATIVE PUNISHMENT AND TO AMEND

THE CONSTITUTION TO PROVIDE THAT PROBATION, RESTITUTION, COMMUNITY SERVICE, WORK PROGRAMS, AND OTHER RESTRAINTS ON LIBERTY ARE PUNISHMENTS THAT MAY BE IMPOSED ON A PERSON CONVICTED OF A CRIMINAL OFFENSE. (CHAPTER 429)

S.B. 135, AN ACT TO PROVIDE THAT PETROLEUM OVERCHARGE FUNDS AND FUNDS FROM THE WORKER TRAINING TRUST FUND APPROPRIATED FOR THE 1993 FISCAL BIENNIUM SHALL NOT REVERT. (CHAPTER 430)

S.B. 166, AN ACT TO AMEND CERTAIN PROVISIONS OF LAW THAT REGULATE ATTORNEYS-AT-LAW. (CHAPTER 431)

S.B. 663, AN ACT MAKING A QUALIFIED EXCEPTION FOR THE CITY OF WILMINGTON AND NEW HANOVER COUNTY FROM THE PUBLIC RECORDS ACT FOR CERTAIN GEOGRAPHICAL INFORMATION SYSTEMS. (CHAPTER 432)

S.B. 689, AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE OLYMPIC GAMES AND SQUARE DANCE CLUBS. (CHAPTER 433)

S.B. 752, AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES THAT HAVE PROTECTED MOUNTAIN RIDGES TO ESTABLISH COUNTY SERVICE DISTRICTS TO PROVIDE FOR CERTAIN ROAD NEEDS OF THE DISTRICT AND TO ALLOW UNDER CERTAIN CIRCUMSTANCES THE MAINTENANCE OF PUBLIC ROADS LYING OUTSIDE THE DISTRICT. (CHAPTER 434)

S.B. 453, AN ACT TO MAKE CHANGES IN THE PROSPECTIVE TEACHERS SCHOLARSHIP LOAN PROGRAM. (CHAPTER 435)

H.B. 311, AN ACT TO MAKE USE OF A COUNTERFEIT TRADEMARK A CRIME IN NORTH CAROLINA, AND TO MODIFY THE CIVIL REMEDIES AVAILABLE FOR FRAUDULENT REGISTRATION OF A TRADEMARK AND INFRINGEMENT OF A TRADEMARK. (CHAPTER 436)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee and permanent subcommittee are presented:

By Representative Nichols for the Committee on Health and Environment:

House Committee Substitute No. 4 for **S.B. 52,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF CHAPTER 146 CONCERNING STATE-OWNED SUBMERGED LANDS, with a favorable report as to House Committee Substitute Bill No. 5, unfavorable as to House Committee Substitute Bill No. 4.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 5 is placed on the Calendar. House Committee Substitute Bill No. 4 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 927,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO PERMIT IS REQUIRED FOR SMALL LANDFILLS FOR THE DISPOSAL OF DEMOLITION DEBRIS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Mitchell and Weatherly for the Permanent Subcommittee on Natural and Economic Resources:

H.B. 512, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY COLLEGE STUDENTS ENROLLED IN HEALTH PROGRAMS ARE SUBJECT TO THE SAME IMMUNIZATION REQUIREMENTS AS FOR OTHER COLLEGE AND UNIVERSITY STUDENTS, reported to the Standing Committee on Appropriations, with a favorable recommendation, as amended.

CALENDAR

Action is taken on the following:

SPECIAL ORDER OF BUSINESS

H.B. 838, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR SCHOOL-RELATED CAPITAL IMPROVEMENTS.

Pursuant to Rule 36.1, Representative Holmes, Co-Chair of the Appropriations Committee, requests a fiscal analysis and fiscal note on the bill before any further consideration.

Representative Fitch inquires if it is the interpretation of the Chair that the use of Rule 39(b), to bring a bill to the floor, is also a suspension of the other House rules. The Chair rules that pursuant to previous ruling, use of Rule 39(b) is a miscellaneous motion under Rule 20(h) and not a procedural motion; therefore, the bill is subject to all other House rules.

Representative Fitch further inquires of the Chair, after the fiscal note requirement is met, how long will it take the bill to return to the Calendar and will it still be a Special Order of Business? The Chair states that the fiscal staff has two legislative days to prepare the note, then the bill will be placed on the Calendar as a Special Order of Business.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 58, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN VOTER REGISTRATION LAWS AND OTHER ELECTION LAWS.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (106-2).

On motion of the Chair, pursuant to Rule 38(b), the bill, as amended, is re-referred to the Committee on Finance.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 24,** A BILL TO BE ENTITLED AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS, passes its second reading by electronic vote (102-0).

Representative K. Miller objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative G. Robinson and without objection, **S.B. 754,** A BILL TO BE ENTITLED AN ACT TO ALLOW MOTOR VEHICLE DEALERS TO INCLUDE IN THEIR POSSESSORY LIENS AMOUNTS FOR RENTAL OF SUBSTITUTE VEHICLES, TO ALLOW LIENORS WHO PURCHASE FOR VALUE AT A SALE TO ACQUIRE CLEAR TITLE TO THE SAME EXTENT AS OTHER PURCHASERS, TO PERMIT A MOTOR VEHICLE DEALER TO NAME A SUCCESSOR TO THE FRANCHISE AND TO REQUIRE THAT OBJECTIONS TO THIS APPOINTMENT BE RAISED AT THE TIME THE APPOINTMENT IS MADE, is withdrawn from the Calendar and placed on the Calendar of July 20.

CALENDAR (continued)

CONFERENCE REPORT

Representative Preston moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 6

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 6, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, AND TO MAKE CONFORMING STATUTORY CHANGES, Fourth Edition Engrossed 6/6/95, submit the following report:

The House and Senate agree to the following amendment to Senate Education/Higher Education Committee Substitute, Fourth Edition Engrossed 6/6/95, and the House concurs in the Senate Committee Substitute, Fourth Edition Engrossed 6/6/95, as amended:

on page 3, line 42, delete the word "education." and substitute the following:

"education, and may use funds from the allotment for Instructional Support Personnel for teacher positions to reduce class size at all grade

levels.";

and on page 4, lines 1-3, rewrite the lines to read:

"(g) The State Board of Education shall develop a plan to enable local school improvement teams to take advantage of the increased flexibility granted under this act. This plan shall include a method to inform appropriate individuals in addition to central office administrators.

(h) The State Board of Education shall report on the formulas and timeline under subsection (b) of this section, on the policies and procedures established under subsection (e) of this section, and on the plan developed under subsection (g) of this section to the Joint Legislative Education";

and on page 8, line 25, delete the period at the end of the line and substitute the following:

"so long as the affected teacher assistant positions are not filled when the plan is amended or adopted by the building-level staff entitled to vote on the building-level plan or the affected teacher assistant positions are not expected to be filled on the date the plan is to be implemented. Any State funds appropriated for teacher assistants that were converted to certificated teachers before July 1, 1995, in accordance with Section 1 of Chapter 986 of the 1991 Session Laws, as rewritten by Chapter 103 of the 1993 Session Laws, may continue to be used for certificated teachers.";

and on page 8, line 31, insert after the word "materials," the word "and";

and on page 8, lines 33-35, rewrite the lines to read:

"class size in kindergarten through third grade.";

and on page 9, lines 7-43, and on page 10, lines 1-15, rewrite the lines to read:

"'(b1) Development by each school of strategies for attaining local school and student performance goals. -- The principal of each school, representatives of the assistant principals, instructional personnel, instructional support personnel, and teacher assistants assigned to the school building, and parents of children enrolled in the school shall constitute a school improvement team to develop a building-level plan to address school and student performance goals appropriate to that school from those established by the local board of education. Parents serving on school improvement teams shall reflect the racial and socioeconomic composition of the students enrolled in that school and shall not be members of the building-level staff. Parental involvement is a critical component of school success and positive student outcomes; therefore, it is the intent of the General Assembly that parents, along with teachers, have a substantial role in developing school and student performance

goals at the building level. To this end, school improvement team meetings shall be held at a convenient time to assure substantial parent participation. The strategies for attaining local school and student performance goals shall include a plan for the use of staff development funds that may be made available to the school by the local board of education to implement the building-level plan. ~~These~~ The strategies may include a decision to use State funds allocated for teacher assistants to reduce class size or the student-teacher ratio in kindergarten through the third grade in accordance with G.S. 115C-238.2(b)(5a) or to use State funds in accordance with G.S. 115C-238.2(b)(5b). The strategies may also include requests for waivers of State laws, regulations, or policies for that school. A request for a waiver shall (i) identify the State laws, regulations, or policies that inhibit the local unit's ability to reach its local accountability goals, (ii) set out with specificity the circumstances under which the waiver may be used, and (iii) explain how a waiver of those laws, regulations, or policies will permit the local unit to reach its local goals.

Support among affected staff members is essential to successful implementation of a building-level plan to address school and student performance goals appropriate to a school; therefore, the principal of the school shall present the proposed building-level plan to all of the principals, assistant principals, instructional personnel, instructional support personnel, and teacher assistants assigned to the school building for their review and vote. The vote shall be by secret ballot. The principal may submit the building-level plan to the local board of education for inclusion in the systemwide plan only if the proposed building-level plan has the approval of a majority of the staff who voted on the plan.

The local board of education shall accept or reject the building-level plan. The local board shall not make any substantive changes in any building-level plan that it accepts; the local board shall set out any building-level plan that it accepts in the systemwide plan. If the local board rejects a building-level plan, the local board shall state with specificity its reasons for rejecting the plan; the school improvement team may then prepare another plan, present it to the principals, assistant principals, instructional personnel, instructional support personnel, and teacher assistants assigned to the school building for a vote, and submit it to the local board for inclusion in the systemwide plan. If no building-level plan is accepted for a school before March 15 of the fiscal year preceding the fiscal year in which participation is sought, the local board may develop a plan for the school for inclusion in the systemwide plan; the General Assembly urges the local board to utilize the proposed building-level plan to the maximum extent possible when developing such a plan.'";

and on page 10, lines 18-39, rewrite the lines to read:

"'(a) Prior to June 30 each year, the State Superintendent shall review

local school improvement plans submitted by the local school administrative units in accordance with policies and standards adopted by the State Board of Education and shall recommend to the State Board of Education whether the plan should be approved. If the State Board of Education approves the plan for a local school administrative unit, that unit shall participate in the Program for the next fiscal year.

If a local plan contains a request for a waiver of State laws, regulations, or policies, in accordance with G.S. 115C-238.3(b1) or (b2), the State Superintendent shall consider and recommend to the State Board of Education whether and to what extent the identified laws, regulations, or policies should be waived. If the State Board of Education deems it necessary to do so to enable a local unit reach its local accountability goals, the State Board may grant waivers of:

(1) State laws pertaining to class size, teacher certification, ~~assignment of teacher assistants~~, the use of State-adopted textbooks, and the purposes for which State funds for the public schools may be used;"

and on page 11, lines 24-25, insert between the lines the following:

"(5) The State Board shall not grant waivers to permit funds under the Teacher Assistant allotment category to be used for any purpose other than for personnel (i) to serve students only in kindergarten through third grade, or (ii) to serve students primarily in kindergarten through third grade when the personnel are assigned to an elementary school to serve the whole school.";

and on page 16, lines 2-3, insert between the lines the following new section:

"Sec. 25. (a) Notwithstanding G.S. 115C-238.2(b)(5a), the State Board of Education shall authorize pilot projects in the Mecklenburg County School Administrative Unit and in the Burke County School Administrative Unit so that the boards of education in those units may use State funds from the allotment for Teacher Assistants for certificated teachers in order to reduce class size or the student-teacher ratio in kindergarten through third grade, in accordance with local school improvement plans developed under G.S. 115C-238.3. No waivers from the State Board of Education are required for this use of funds.

(b) The State Board of Education shall evaluate programs initiated by local school administrative units using teacher assistant funds to reduce class size or the student-teacher ratio in kindergarten through third grade. The Board shall make an appropriate evaluation of the positions affected, the effect

on student achievement, and any other factors the Board considers appropriate. The Board shall report the results of the evaluation to the Joint Legislative Education Oversight Committee on or before October 1, 1996, and annually thereafter through October 1, 1999.";

and renumber the remaining section accordingly.

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: July 10, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Leslie Winner, Chair	S/ Jean Preston, Chair
S/ Roy Cooper	S/ Jerry C. Dockham
S/ Dan R. Simpson	S/ Robert Grady
	S/ Anne C. Barnes

The Conference Report is adopted, by electronic vote (113-0), and the Senate is so notified by Special Message.

Committee Substitute No. 2 for **H.B. 694,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRIVATE SERVICE OF PROCESS IN WAKE COUNTY.

On motion of the Chair, the bill is temporarily displaced.

Senate Committee Substitute for **H.B. 807,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE CRIMINAL RECORD CHECKS TO HOME CARE AGENCIES AND HOSPICES.

On motion of Representative Miner, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp,

Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Clary, McCrary, Rogers, and Shaw - 4.

Senate Committee Substitute for **H.B. 222,** A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION TO G.S. 120-70.2 REGARDING FILLING OF VACANCIES ON THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE.

On motion of Representative G. Miller, the House concurs in the Senate committee substitute, by electronic vote (70-36), and the bill is ordered enrolled.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Dockham and without objection, Senate Committee Substitute for **H.B. 914,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPOINTMENT AND CONDITIONS OF OFFICE OF MEMBERS OF THE BOARDS OF TRUSTEES OF COMMUNITY COLLEGES, is withdrawn from the Calendar and placed on the Calendar of July 17.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 694,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PRIVATE SERVICE OF PROCESS IN WAKE COUNTY, which was temporarily displaced, is before the Body.

On motion of Representative Ellis, the House concurs in Senate Amendment No. 1.

On motion of Representative Ellis, the House concurs in Senate Amendment No. 2.

On motion of Representative Ellis, the House concurs in Senate Amendment No. 3 and the bill is ordered enrolled.

House Committee Substitute No. 2 for **S.B. 57,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL AND TO MAKE OTHER CHANGES IN THE ABC LAWS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barbee, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Cansler, Cocklereece, Crawford, Creech, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dockham, Earle, Easterling, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hensley, Hightower, Howard, H. Hunter, Hurley, Justus, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, G. Robinson, J. Robinson, Sexton, Sharpe, Sherrill, Sutton, Tallent, Thompson, Tolson, Wainwright, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 82.

Voting in the negative: Representatives Baker, Beall, Capps, Carpenter, Church, Culp, Davis, Eddins, Ellis, Hayes, Hiatt, Hill, Hunt, R. Hunter, Ives, Kiser, Linney, McCombs, K. Miller, Russell, Shubert, Warner, and Weatherly - 23.

Excused absences: Representatives Clary, McCrary, Rogers, and Shaw - 4.

Representatives Decker, Thompson, G. Robinson, and J. Brown state that their voting equipment malfunctioned and they request to be recorded as

voting "no". These requests are granted. The adjusted vote total is (78-27).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 995,** A BILL TO BE ENTITLED AN ACT TO STIMULATE A SUBSTANTIAL INCREASE IN VENTURE CAPITAL INVESTMENTS IN NORTH CAROLINA BY ALLOWING AN INSURANCE PREMIUMS TAX CREDIT FOR THESE INVESTMENTS.

Representative Womble offers Amendment No. 1 which is adopted by electronic vote (88-15).

Representative Wilkins calls the previous question on the passage of the bill and the call is sustained by electronic vote (85-22).

The bill, as amended, passes its second reading by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Baker, Barbee, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Cocklereece, Crawford, Culp, Culpepper, Daughtry, Davis, Dockham, Earle, Eddins, Ellis, Esposito, Gardner, Gray, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Justus, Lee, Lemmond, Linney, Locke, Luebke, McComas, McCombs, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Redwine, G. Robinson, J. Robinson, Russell, Sharpe, Sherrill, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Wright - 82.

Voting in the negative: Representatives Adams, Allred, Arnold, Beall, Creech, Cummings, Cunningham, Decker, Easterling, Edwards, Fitch, Fox, Gamble, Grady, Hackney, Hightower, Ives, Kiser, McAllister, McLaughlin, Neely, Rayfield, Richardson, Sexton, Shubert, Warner, and Yongue - 27.

Excused absences: Representatives Capps, Clary, McCrary, Rogers, and Shaw - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 402,** A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF ALL

PERSONS WHO PROVIDE FOSTER CARE, passes its second reading by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Capps, Clary, McCrary, Rogers, and Shaw - 5.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 305, AN ACT TO FURTHER EXTEND EXPIRING PROVISIONS. (CHAPTER 437)

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 13, 1995

Mr. Speaker:

Pursuant to your message received Thursday, July 13, 1995 that the House of Representatives fails to concur in the Senate Committee Substitute bill to

H.B. 718, A BILL TO BE ENTITLED AN ACT TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND, which proposes to change the title, upon concurrence, to read **H.B. 718** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NORTH CAROLINA PARKS AND RECREATION AUTHORITY AND TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND, and requests conferees, the President Pro Tempore appoints:

Senator Sherron
Senator Kerr
Senator Ballantine

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CONFERENCE REPORTS

Representative W. Brown sends forth the Conference Report on House Committee Substitute for **S.B. 237,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE USE VALUE TAX LAW, TO UPDATE THE LAW TO CONFORM TO MODERN FAMILY PROPERTY TRANSACTIONS, AND TO EXPAND THE CATEGORY OF RELATIVES WHO MAY QUALIFY FOR USE VALUE PROPERTY TRANSFERS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 17.

Representative K. Miller sends forth the Conference Report on Senate Committee Substitute for **H.B. 65,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISPLAY OF THE UNITED STATES FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO ENCOURAGE THE DISPLAY OF THE NORTH CAROLINA FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO REQUIRE STUDENTS IN THE PUBLIC SCHOOLS TO RECITE THE PLEDGE OF ALLEGIANCE EVERY DAY, TO ENCOURAGE THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS AND THE RECITATION OF THE PLEDGE OF ALLEGIANCE IN PRIVATE SCHOOLS AND HOME SCHOOLS, AND TO

ENCOURAGE DONATIONS OF FLAGS TO BE DISPLAYED IN EVERY PUBLIC SCHOOL CLASSROOM. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 17.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Culp for the Committee on Public Employees:

H.B. 900, A BILL TO BE ENTITLED AN ACT TO REQUIRE PUBLIC SCHOOL EMPLOYEES TO REFRAIN FROM INAPPROPRIATE POLITICAL ACTIVITY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

H.B. 984, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL AND TO AMEND CHAPTER 451 OF THE 1993 SESSION LAWS REGARDING A WHOLLY SELF-LIQUIDATING PROJECT AT THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 17.

RE-REFERRAL

On motion of Representative Gray, pursuant to Rule 39.2, **H.B. 716,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE MECKLENBURG ROOM OCCUPANCY TAX AND PROVIDE FOR ESTABLISHMENT OF

A TRAVEL DEVELOPMENT AUTHORITY, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Morgan moves, seconded by Representative Thompson, that the House adjourn, subject to receipt of messages from the Senate, to reconvene Monday, July 17, 1995, at 4:00 p.m. The motion carries.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 230,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE EXPANSION EXPENDITURES AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 17.

The House stands adjourned at 3:50 p.m.

NINETY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, July 17, 1995

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, thank You for a few days away from our task here. To be with family, to be alone, to reflect, to worship, to think. Phone calls yes, hard to get completely away with so much important legislation still to come through. In the heat of debate and political battle remind us again of integrity, politics aren't always integrity friendly. And so, remind us that Your Word declares:

'Blessed is the man who does not walk

in the counsel of the wicked,
Nor stand in the path of sinners,
Nor sit in the seat of scoffers.
But his delight is in the law of the Lord.'
(Psalm 1: 1-2)

'He shall grow like a Cedar in Lebanon.'
(Psalm 93: 12)

"The fun in planting a tree is the anticipation of what it will become. Its branches, its shade, the storms it will withstand, the birds that will build their nests there. The mystery and fascination with a newborn baby is in what it will become. Those little hands? A surgeon's scalpel, piano keys, an architect's or engineer's design. That little voice, will it resound from pulpit, classroom, the bailey, executive board, or concert hall? Will it be heard in the legislative hall formulating law? Law - the mystery, the fascination with law. What will this law do and be? Will it bless or curse, lift the burden of mankind or impose distress? Political expediency at the sacrifice of long range good. Esau and Jacob. Father, in these last days, be our guardian, guide and stay, and make these good men and women instruments of thy Divine purposes, and preserve for each of them who is willing a sense of thy Divine companionship. Through Christ our Lord, Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 13 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (90-4).

Leaves of absence are granted Representatives Barbee, Blue, Brawley, J. Brown, Gardner, R. Hunter, Luebke, G. Robinson, Sutton, and Wainwright for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 6 , AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME. (CHAPTER 438)

S.B. 491, AN ACT TO MODIFY THE MINIMUM STREAMFLOW REQUIRED IN THE LENGTH OF THE STREAM AFFECTED BY CERTAIN DAMS OPERATED BY SMALL HYDROELECTRIC POWER PRODUCERS. (CHAPTER 439)

H.B. 222, AN ACT TO MAKE A TECHNICAL CORRECTION TO G.S. 120-70.2 REGARDING FILLING OF VACANCIES ON THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE AND PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF JO ANNE SANFORD TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION AND OF THE APPOINTMENT OF ROBERT P. GRUBER AS EXECUTIVE DIRECTOR OF THE PUBLIC STAFF OF THE NORTH CAROLINA UTILITIES COMMISSION. (CHAPTER 440)

H.B. 694, AN ACT TO PROVIDE FOR PRIVATE SERVICE OF PROCESS IN WAKE COUNTY. (CHAPTER 441)

S.B. 570, AN ACT TO RESTRUCTURE THE LEXINGTON UTILITIES COMMISSION. (CHAPTER 442)

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee and permanent subcommittee are presented:

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

H.B. 403, A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF CHILD DAY CARE PROVIDERS, TO STUDY THE USE OF THE CENTRAL REGISTRY ON CHILD ABUSE AND NEGLECT, AND TO APPROPRIATE FUNDS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for July 18. The original bill is placed on the Unfavorable Calendar.

S.B. 58, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN VOTER REGISTRATION LAWS AND OTHER

ELECTION LAWS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for July 18. The original bill is placed on the Unfavorable Calendar.

S.B. 908, A BILL TO BE ENTITLED AN ACT RELATING TO THE POWER OF WATER AND SEWER AUTHORITIES CREATED PURSUANT TO ARTICLE 1 OF CHAPTER 162A OF THE GENERAL STATUTES TO REQUIRE CONNECTIONS TO WATER SYSTEMS, SEWER SYSTEMS, OR COMBINED WATER AND SEWER SYSTEMS OWNED, LEASED, OR OPERATED, BY THE AUTHORITIES AND TO THE POWER OF CITIES AND COUNTIES TO REQUIRE CONNECTIONS TO WATER AND SEWER SYSTEMS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Allred for the Permanent Subcommittee on Economic Expansion and Growth of the Standing Committee on Business and Labor, with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 1067, A BILL TO BE ENTITLED AN ACT TO REQUIRE A RESIDENT LIENHOLDER TO PAY ONLY THE CURRENT YEAR'S PROPERTY TAXES AFTER OBTAINING A MOBILE HOME MOVING PERMIT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 17, 1995

Mr. Speaker:

On **H.B. 6** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, AND TO MAKE CONFORMING STATUTORY CHANGES, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 13, 1995

Mr. Speaker:

On **H.B. 65** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISPLAY OF THE UNITED STATES FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO ENCOURAGE THE DISPLAY OF THE NORTH CAROLINA FLAG IN EVERY PUBLIC SCHOOL CLASSROOM, TO REQUIRE STUDENTS IN THE PUBLIC SCHOOLS TO RECITE THE PLEDGE OF ALLEGIANCE EVERY DAY, TO ENCOURAGE THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS AND THE RECITATION OF THE PLEDGE OF ALLEGIANCE IN PRIVATE SCHOOLS AND HOME SCHOOLS, AND TO ENCOURAGE DONATIONS OF FLAGS TO BE DISPLAYED IN EVERY PUBLIC SCHOOL CLASSROOM, which the Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 65** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE DISPLAY OF THE UNITED STATES AND NORTH

CAROLINA FLAGS IN PUBLIC SCHOOL CLASSROOMS, TO ENCOURAGE THE RECITAL OF THE PLEDGE OF ALLEGIANCE IN THE PUBLIC SCHOOLS, TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP MODEL GUIDELINES FOR IMPLEMENTING THIS ACT, AND TO ENCOURAGE DONATIONS OF FLAGS TO BE DISPLAYED IN PUBLIC SCHOOL CLASSROOMS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees, further changing the title, and the title becomes **H.B. 65** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS IN PUBLIC SCHOOL CLASSROOMS AND TO ENCOURAGE THE RECITAL OF THE PLEDGE OF ALLEGIANCE IN THE PUBLIC SCHOOLS, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 13, 1995

Mr. Speaker:

On **H.B. 718,** A BILL TO BE ENTITLED AN ACT TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND, which the Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 718** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NORTH CAROLINA PARKS AND RECREATION AUTHORITY AND TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **H.B. 718** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NORTH CAROLINA PARKS AND RECREATION AUTHORITY AND TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL

HERITAGE TRUST FUND to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 13, 1995

Mr. Speaker:

On **S.B. 237** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE USE VALUE TAX LAW, TO UPDATE THE LAW TO CONFORM TO MODERN FAMILY PROPERTY TRANSACTIONS, AND TO EXPAND THE CATEGORY OF RELATIVES WHO MAY QUALIFY FOR USE VALUE PROPERTY TRANSFERS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **S.B. 237** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE USE VALUE TAX LAW, TO UPDATE THE LAW TO CONFORM TO MODERN FAMILY PROPERTY TRANSACTIONS, AND TO EXPAND THE CATEGORY OF PERSONS WHO MAY QUALIFY FOR USE VALUE PROPERTY TRANSFERS, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 899,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DISPOSAL OF ABANDONED PROPERTY

BY LANDLORDS AND TO AMEND THE LAW OF SUMMARY EJECTMENT BY REDUCING THE TIME ALLOWED FOR A DEFENDANT TO APPEAR IN COURT, BY ALLOWING A LANDLORD TO HAVE UNCLAIMED PROPERTY OF AN EJECTED TENANT PLACED AT THE NEAREST PUBLIC RIGHT-OF-WAY, AND BY REVISING THE APPLICATION OF THE RETALIATORY EVICTION DEFENSE, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 18.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **H.B. 1060,** A BILL TO BE ENTITLED AN ACT AMENDING THE GENERAL STATUTES RELATING TO THE CONSOLIDATION OF CITIES AND COUNTIES AND CONSOLIDATED CITY-COUNTY TAXATION AND FINANCE, is returned for concurrence in Senate amendment and placed on the Calendar for July 18.

CONFERENCE REPORT

Representative Gray sends forth the Conference Report on Senate Committee Substitute for **H.B. 718,** A BILL TO BE ENTITLED AN ACT TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND. Without objection, the Conference Report is placed on today's Calendar.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 230,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE EXPANSION EXPENDITURES AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

On motion of Representative Esposito, the House does not concur in the Senate committee substitute, by electronic vote (71-35), and conferees are requested.

The Chair appoints the following as conferees on the part of the House: Representatives Holmes, Esposito, and Creech, Co-Chairs; Representatives Kiser, Russell, Daughtry, Crawford, Nye, Hayes, Gardner, Bowie, Barbee,

Lemmond, Ives, Mitchell, Weatherly, Thompson, Justus, Grady, Cummings, Preston, and Culpepper.

The Senate is so notified by Special Message.

Representative R. Hunter requests to be recorded as voting "no" on the motion. This request is granted. The adjusted vote total is (71-36).

S.B. 1055, A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXCISE TAX ON NEWSPRINT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 101.

Voting in the negative: Representatives Arnold and Nichols - 2.

Excused absences: Representatives Barbee, Blue, Brawley, J. Brown, Gardner, Luebke, G. Robinson, Sutton, and Wainwright - 9.

CONFERENCE REPORT

Representative K. Miller moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 65

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and

the House of Representatives on House Bill 65, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS IN PUBLIC SCHOOL CLASSROOMS, TO ENCOURAGE THE RECITAL OF THE PLEDGE OF ALLEGIANCE IN THE PUBLIC SCHOOLS, TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP MODEL GUIDELINES FOR IMPLEMENTING THIS ACT, AND TO ENCOURAGE DONATIONS OF FLAGS TO BE DISPLAYED IN PUBLIC SCHOOL CLASSROOMS, Senate Education/Higher Education Committee Substitute Adopted 6/7/95, submit the following report:

The House and Senate agree to the following amendment to the Senate Education/Higher Education Committee Substitute Adopted 6/7/95, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached Proposed Conference Committee Substitute PCCS 6182.

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: July 12, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ J. Clark Plexico	S/ Ken J. Miller
S/ Leslie Winner	S/ Richard T. Morgan
S/ Austin M. Allran	S/ Michael S. Wilkins

The Conference Report, which changes the title, is adopted, by electronic vote (104-1), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

The Senate having previously adopted the Conference Report, the bill is ordered enrolled.

CONFERENCE REPORT

Representative Creech moves the adoption of the following Conference Report.

House Committee Substitute for S. B. 237

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 237, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE USE VALUE TAX LAW, TO UPDATE THE LAW TO CONFORM TO MODERN FAMILY PROPERTY TRANSACTIONS, AND TO EXPAND THE CATEGORY OF RELATIVES WHO MAY QUALIFY FOR USE VALUE PROPERTY TRANSFERS, Fifth Edition Engrossed 7/6/95, submit the following report:

The Senate and House agree to the following amendments to the House Committee Substitute, Fifth Edition Engrossed, and the Senate concurs in the House Committee Substitute, Fifth Edition Engrossed, as amended:

on page 1, line 4, delete the word "RELATIVES" and substitute the word "PERSONS";

and on page 3, lines 12 - 16,
rewrite those lines to read:

"d. A testamentary trust that meets all of the following conditions:

1. It was created by a natural person who transferred to the trust land that qualified in that person's hands for classification under G.S. 105-277.3.

2. At the time of the creator's death, the creator had no relatives as defined in this section as of the date of death.

3. The trust income, less reasonable administrative expenses, is used exclusively for educational, scientific, literary, cultural, charitable, or religious purposes as defined in G. S. 105-278.3(d)."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 13, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ John H. Kerr, III	S/ Willis D. Brown
S/ Charles W. Albertson	S/ Charles F. Buchanan
S/ Donald R. Kincaid	S/ Billy James Creech
S/ James D. Speed	S/ Linwood E. Mercer

The Conference Report, which changes the title, is adopted, by electronic vote (101-1), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Grady moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 718

TO: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 718, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NORTH CAROLINA PARKS AND RECREATION AUTHORITY AND TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND, Senate Appropriations Committee Substitute Adopted 7/5/95, submit the following report:

The House and Senate agree to the following amendments to the Senate Appropriations Committee Substitute Adopted 7/5/95, and the House concurs in the Senate Committee Substitute, as amended:

on page 1, lines 19 - 23, delete the lines;
and on page 2, lines 1 - 10, renumber the remaining subdivisions.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July __, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ John H. Kerr, III	S/ Lyons Gray
S/ J.K. Sherron, Jr.	S/ James B. Black
S/ Patrick J. Ballantine	

The Conference Report is adopted, by electronic vote (104-0), and the Senate is so notified by Special Message.

The Senate having previously adopted the Conference Report, the bill is ordered enrolled.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 807,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE CRIMINAL RECORD CHECKS TO HOME CARE AGENCIES AND HOSPICES.

The House concurs in the material Senate committee substitute on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Grady, Gray, Hackney, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Barbee, Blue, Brawley, J. Brown, Gardner, Hayes, Luebke, G. Robinson, Sutton, and Wainwright - 10.

Senate Committee Substitute for **H.B. 914,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPOINTMENT AND CONDITIONS OF OFFICE OF MEMBERS OF THE BOARDS OF TRUSTEES OF COMMUNITY COLLEGES.

On motion of Representative Dockham, consideration of the bill is postponed until July 20.

Committee Substitute for **H.B. 995,** A BILL TO BE ENTITLED AN ACT TO STIMULATE A SUBSTANTIAL INCREASE IN VENTURE CAPITAL INVESTMENTS IN NORTH CAROLINA BY ALLOWING AN INSURANCE PREMIUMS TAX CREDIT FOR THESE INVESTMENTS.

Representative Shubert offers Amendment No. 2.

Representative Wilkins inquires of the Chair if the amendment is germane to the title. The Chair rules the amendment is in order.

Amendment No. 2 fails of adoption by electronic vote (27-77).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (64-40).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Arnold, Baker, Berry, Black, Bowen, Bowie, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Daughtry, Dickson, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Grady, Gray, Hackney, Hill, Holmes, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, McComas, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Tallent, Thompson, Tolson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 78.

Voting in the negative: Representatives Adams, Allred, Barnes, Beall, Boyd-McIntyre, Braswell, Capps, Creech, Cunningham, Davis, Decker, Earle, Fitch, Fox, Gamble, Hensley, Hiatt, Hightower, Howard, Lee, McAllister, Neely, Oldham, Shaw, Sherrill, Shubert, Warner, and Watson - 28.

Excused absences: Representatives Barbee, Blue, Brawley, J. Brown, Gardner, Hayes, Luebke, G. Robinson, Sutton, and Wainwright - 10.

Committee Substitute No. 2 for **H.B. 402,** A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF ALL PERSONS WHO PROVIDE FOSTER CARE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gamble, Grady, Gray, Hackney, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: Representative Davis.

Excused absences: Representatives Barbee, Blue, Brawley, J. Brown, Gardner, Hayes, Luebke, G. Robinson, Sutton, and Wainwright - 10.

House Committee Substitute for **S.B. 24,** A BILL TO BE ENTITLED AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS, passes its third reading, by electronic vote (103-0), and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 984, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL

HILL AND TO AMEND CHAPTER 451 OF THE 1993 SESSION LAWS REGARDING A WHOLLY SELF-LIQUIDATING PROJECT AT THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO, passes its second reading, by electronic vote (100-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

INTRODUCTION OF PAGES

Pages for the week of July 17-21 are introduced to the membership. They are: Ginger Burgess of Alamance; Jennifer Capps of Wake; Julie Davis of Durham; Courtney Denning of Wake; Emily Gertsch of Wake; Heather Gertsch of Wake; Leah Goldstein of Durham; Korry Humphrey of Mecklenburg; Jennifer Ipock of Gaston; Tiffany Johnson of Alamance; Kelley Lampani of Guilford; Ashley Ollis of Mitchell; Cami Parker of Edgecombe; Britney Speight of Mitchell; Daniel Sullivan of Wake; Julie Taylor of Halifax; and Heather Williams of Halifax.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.J.R. 515, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FRANKLIN "FRANK" W. HOWEY, SR., OF UNION COUNTY, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Morgan, seconded by Representative Nichols, the House adjourns at 5:16 p.m. to reconvene July 18 at 10:00 a.m.

ONE HUNDREDTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 18, 1995

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, thank You for Your grace and Your mercy, and thank You for Your blessed Spirit who dwells within every believer. And, it is Your Spirit who makes Your Word, 'a lamp unto our feet and a light unto our pathway'. (Psalm 119:105) In decision-making there comes a time when all that can be said has been said, and the fate of a people, state, or a nation depends upon the conscience of the individual. We who are preachers and politicians You hold more responsible than those who are not, because we know what we present to the people. And, Your Word is a constant challenge to moral excellence and character when it declares through Isaiah the prophet:

'Woe unto them that call evil good, and good evil;
that put darkness for light, and light for darkness;
that put bitter for sweet, and sweet for bitter.'
(Isaiah 5:20)

"A boy thought to challenge the wisdom of a man who was wise. Said he, 'I will hold a bird in my hand and ask him if it is alive or dead. If he says alive, I will smother it and it will be dead. If he says dead I will release it that it fly away.' Thus, he asked the old Sage, 'I have a bird in my hand, is it alive or dead?' The old one gave this reply, 'My son, it is all up to you'. Father, as preachers and lawmakers we know what we hold in our hands, and it seems that I hear eternal voices speaking above the voice of our Speaker on every vote when he says, 'the clerk will open the vote', then in irreversible tone, 'the clerk will lock the machine and record the vote'. And, in my mind, I see green lights and the red lights flashing just inside a Golden Gate. Father, never do the lives of so few affect the lives of so many as from the pulpit and the legislative desk. And so, our Father, lead us forth in these last days to truth and light. In Thy Name we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 17 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (100-3).

Leaves of absence are granted Representatives Blue, Brawley, Gardner, Nye, and G. Robinson for today.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **S.B. 528,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MEDIATED SETTLEMENT CONFERENCES IN CIVIL ACTIONS IN SUPERIOR COURT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 17, 1995

Mr. Speaker:

Pursuant to your message received Monday, July 17, 1995 that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 230** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE EXPANSION EXPENDITURES AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, and requests conferees, the President Pro Tempore appoints:

Senator Plyler, Co-Chairman
Senator Perdue, Co-Chairman
Senator Odom, Co-Chairman
Senator Winner
Senator Plexico
Senator Martin of Pitt
Senator Martin of Guilford
Senator Ballance

Senator Warren
Senator Hoyle
Senator Rand
Senator Conder
Senator Edwards
Senator Forrester
Senator Kerr
Senator Sherron
Senator Gulley
Senator Jordan

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 17, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute Bill No. 2 to **S.B. 57** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL AND TO MAKE OTHER CHANGES IN THE ABC LAWS, and requests conferees. The President Pro Tempore appoints:

Senator Conder
Senator Hoyle
Senator Ballantine
Senator Carrington

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints the following as conferees for the House: Representatives Grady, Chair; Neely, Pate, Culpepper, Morgan, and Gray.

The Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

SPECIAL ORDER OF BUSINESS

H.B. 838, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR SCHOOL-RELATED CAPITAL IMPROVEMENTS.

Representative Cansler moves that the bill be re-referred to the Committee on Judiciary II.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (72-40).

The motion to re-refer carries by electronic vote (60-52).

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 389, A BILL TO BE ENTITLED AN ACT AFFECTING STATE OR LOCAL FINANCES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance.

The original bill is placed on the Unfavorable Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 229, AN ACT TO REMOVE IMPEDIMENTS AND DISINCENTIVES TO DONATING CONSERVATION LAND OR PRESERVATION STRUCTURES OR SITES. (CHAPTER 443)

S.B. 258, AN ACT TO CLARIFY THE RECORD-KEEPING RESPONSIBILITIES OF CLERKS OF SUPERIOR COURT IN IV-D CHILD SUPPORT CASES. (CHAPTER 444)

S.B. 388, AN ACT TO AMEND THE PESTICIDE LAW. (CHAPTER 445)

S.B. 404, AN ACT TO MODIFY THE CRITERIA FOR SELECTION AND SENTENCING TO IMPACT. (CHAPTER 446)

S.B. 668, AN ACT TO REMOVE THE SUNSET FROM THE STATUTE PERMITTING PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION. (CHAPTER 447)

S.B. 792, AN ACT TO AMEND THE BAIL BOND FORFEITURE PROCEDURE PROVIDED BY ARTICLE 26 OF CHAPTER 15A OF THE GENERAL STATUTES. (CHAPTER 448)

S.B. 864, AN ACT TO REQUIRE DOMICILIARY CARE HOMES TO SUBMIT ANNUAL AUDITED REPORTS OF ACTUAL COSTS AND TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES TO ADOPT RULES TO ENSURE QUALITY OF CARE IN DOMICILIARY CARE HOMES. (CHAPTER 449)

H.B. 6, AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, AND TO MAKE CONFORMING STATUTORY CHANGES. (CHAPTER 450)

H.B. 360, AN ACT TO EXEMPT RAILROADS FROM PAYMENT OF SALES TAX ON DIESEL FUEL USED BY LOCOMOTIVES AND RAILROAD CARS. (CHAPTER 451)

H.B. 390, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENTS PROJECT AT APPALACHIAN STATE UNIVERSITY. (CHAPTER 452)

H.B. 807, AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE CRIMINAL RECORD CHECKS TO DOMICILIARY CARE FACILITIES, HOME CARE AGENCIES, HOSPICES, LICENSED CHILD PLACING AGENCIES, RESIDENTIAL CHILD CARE FACILITIES, AND OTHER PROVIDERS OF TREATMENT FOR OR SERVICES TO CHILDREN, THE ELDERLY, AND THE SICK AND DISABLED. (CHAPTER 453)

S.B. 237, AN ACT TO CLARIFY THE USE VALUE TAX LAW, TO UPDATE THE LAW TO CONFORM TO MODERN FAMILY PROPERTY TRANSACTIONS, AND TO EXPAND THE CATEGORY OF PERSONS WHO MAY QUALIFY FOR USE VALUE PROPERTY TRANSFERS. (CHAPTER 454)

H.B. 65, AN ACT TO ALLOW THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS IN PUBLIC SCHOOL CLASSROOMS AND TO ENCOURAGE THE RECITAL OF THE PLEDGE OF ALLEGIANCE IN THE PUBLIC SCHOOLS. (CHAPTER 455)

H.B. 718, AN ACT TO ESTABLISH A NORTH CAROLINA PARKS AND RECREATION AUTHORITY AND TO EARMARK FUNDS FOR THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND. (CHAPTER 456)

S.J.R. 515, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FRANKLIN "FRANK" W. HOWEY, SR., OF UNION COUNTY. (RESOLUTION 12)

H.J.R. 535, A JOINT RESOLUTION HONORING THE VETERANS OF NORTH CAROLINA WHO SERVED DURING WORLD WAR II. (RESOLUTION 13)

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 1067,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE REQUIREMENT THAT A MOBILE HOME LIENHOLDER PAY CURRENT AND PAST DUE PROPERTY TAXES BEFORE OBTAINING A MOBILE HOME MOVING PERMIT, is withdrawn from the Calendar, and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, House Committee Substitute No. 4 for **S.B. 345,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS, is withdrawn from the Calendar, pursuant to Rule 36(a), and re-referred to the Committee on Finance.

CONFIRMATION OF STATE BOARD OF EDUCATION MESSAGE

Pursuant to **S.J.R. 538,** A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO CONSIDER ACTION ON THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, the Speaker orders that a message be sent to the Senate stating that the time of the Joint Session for confirmation of the Governor's appointments to the State Board of Education will be 1:00 p.m. on Wednesday, July 19, 1995.

On motion of the Chair, the House recesses at 10:57 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

S.B. 534, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGULATING SURETY BONDSMEN, BAIL BONDSMEN, AND RUNNERS, with a favorable report and recommendation that the bill

be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

Committee Substitute for **S.B. 121,** A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES FOR ASSESSMENTS OF INHERITANCE TAX FOLLOWING A FEDERAL DETERMINATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 19.

S.B. 407, A BILL TO BE ENTITLED AN ACT TO EXEMPT TRAILERS FROM THE PAYMENT OF THE GLOBAL TRANSPARK TEMPORARY ZONE VEHICLE REGISTRATION TAX, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 19.

Committee Substitute for **S.B. 631,** A BILL TO BE ENTITLED AN ACT TO ALLOW INDIVIDUALS TO CONTRIBUTE INCOME TAX REFUNDS TO THE HIGHWAY WILDFLOWER FUND, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for July 19. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 1049,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE QUALIFIED BUSINESS TAX CREDIT TO ELIMINATE AN UNINTENDED LOOPHOLE THAT ALLOWS DOUBLE CREDITS FOR THE SAME INVESTMENT AND TO LIMIT CREDITS FOR INVESTMENTS IN CERTAIN INVESTMENT BUSINESSES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representatives Holmes, Creech, and Esposito, Co-Chairs for the Standing Committee on Appropriations, refer House Committee Substitute for **S.B. 971,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR GUBERNATORIAL NOMINATION OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS, LEGISLATIVE CONFIRMATION, AND RETENTION BY VOTE OF THE PEOPLE, TO PROVIDE FOR ELECTION OF SUPERIOR COURT JUDGES WITHIN THEIR DISTRICTS, TO REMOVE THE RESTRICTIONS ON JUDICIAL CAMPAIGNS, AND TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE SUPERIOR COURT DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM FOR CERTAIN SUPERIOR COURT JUDGES, to the Permanent Subcommittee on Justice and Public Safety.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **S.B. 572,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SURETY BONDS FOR SMALL BUSINESSES THAT CONTRACT WITH GOVERNMENTAL AGENCIES, is read the first time and referred to the Committee on Finance.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 899,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DISPOSAL OF ABANDONED PROPERTY BY LANDLORDS AND TO AMEND THE LAW OF SUMMARY EJECTMENT BY REDUCING THE TIME ALLOWED FOR A DEFENDANT TO APPEAR IN COURT, BY ALLOWING A LANDLORD TO HAVE UNCLAIMED PROPERTY OF AN EJECTED TENANT PLACED AT THE NEAREST PUBLIC RIGHT-OF-WAY, AND BY REVISING THE APPLICATION OF THE RETALIATORY EVICTION DEFENSE.

On motion of Representative Sherrill, the House concurs in the Senate

committee substitute, which changes the title, by electronic vote (96-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 1060,** A BILL TO BE ENTITLED AN ACT AMENDING THE GENERAL STATUTES RELATING TO THE CONSOLIDATION OF CITIES AND COUNTIES AND CONSOLIDATED CITY-COUNTY TAXATION AND FINANCE.

On motion of Representative McComas, the House concurs in the Senate amendment, by electronic vote (99-0), and the bill is ordered enrolled.

S.B. 1055, A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXCISE TAX ON NEWSPRINT.

Representative Luebke moves that Rule 31(d) be suspended in order that an amendment may be offered that would change the caption.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (75-30).

The motion to suspend Rule 31(d) fails by electronic vote (41-64).

The bill passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowie, Boyd-McIntyre, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Blue, Bowen, Brawley, Gardner, Hackney, G. Robinson, Sexton, and Sutton - 8.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 403,** A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF CHILD DAY CARE PROVIDERS AND TO STUDY THE USE OF THE CENTRAL REGISTRY ON CHILD ABUSE AND NEGLECT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowie, Boyd-McIntyre, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Blue, Bowen, Brawley, Gardner, Hackney, G. Robinson, Sexton, and Sutton - 8.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 58,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN VOTER REGISTRATION LAWS AND OTHER ELECTION LAWS.

Representative Justus offers Amendment No. 1.

Representative Richardson inquires of the Chair if the amendment is germane to the title. The Chair rules the amendment to be germane.

Representative Justus calls the previous question on the amendment and the call is sustained by electronic vote (67-37).

Amendment No. 1 is adopted by electronic vote (67-38).

Representative Wood offers Amendment No. 2.

Representative Richardson inquires of the Chair if he will reconsider his ruling as to the germaneness of the amendment. The Chair rules the amendment to be germane.

Amendment No. 2 fails of adoption by electronic vote (28-72).

The bill, as amended, passes its second reading by electronic vote (92-10).

Representative Cunningham objects to the third reading. The bill remains on the Calendar.

CONFERENCE REPORT

Representative Lemmond sends forth the Conference Report on **H.B. 873,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE SUBSTANCES THAT APPLICATORS OF PESTICIDES ARE AUTHORIZED TO APPLY AND TO PROVIDE FOR THE PESTICIDE APPLICATOR'S LICENSE TO BE REVOKED, SUSPENDED, OR DENIED FOR VIOLATING THIS LIMITATION. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 19.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute No. 2 for **H.B. 481,** A BILL TO BE ENTITLED AN ACT TO REQUIRE PARENTAL OR JUDICIAL CONSENT FOR AN UNEMANCIPATED MINOR'S ABORTION, is returned for concurrence in Senate Committee Substitute No. 2 and placed on the Calendar for July 19.

RE-REFERRALS

On motion of Representative Arnold, pursuant to Rule 39.2, House Committee Substitute No. 4 for **S.B. 345,** A BILL TO BE ENTITLED AN

ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, pursuant to Rule 39.2, House Committee Substitute No. 3 for **S.B. 974,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURAL BY-PRODUCTS TO BE CERTIFIED, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, pursuant to Rule 39.2, House Committee Substitute for **S.B. 402,** A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE DOMESTIC VIOLENCE LAW BY REQUIRING DOMESTIC VIOLENCE ORDER TO BE ACCESSIBLE BY COMPUTER, TO ALLOW THE JUDGE ISSUING THE ORDER TO REQUIRE SEIZURE OF FIREARMS AND PROHIBIT POSSESSION OF FIREARMS, AND MAKE IT A CLASS H FELONY FOR ANY PERSON SUBJECT TO A DOMESTIC VIOLENCE ORDER TO PURCHASE OR POSSESS ANY FIREARM, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary I.

On motion of Representative Morgan, seconded by Representative Hightower, the House adjourns at 5:22 p.m. to reconvene July 19 at 10:00 a.m.

ONE HUNDRED FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, July 19, 1995

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, thank You for Your promise that, 'as our day so shall our strength be'. (Deuteronomy 33:25) Thank You for bringing us along the legislative journey to this point in time. Your Word tells us that 'to everything there is a season, and a time to every purpose under heaven. A

time to be born, and a time to die...a time to weep and a time to laugh...a time of war and a time of peace'. (Ecclesiastes 3:1) A time to convene and a time to adjourn. No, Father, I made up the last line. I'm sure that these good folks know when to do that, although some are beginning to sing that old gospel song, 'one day at a time, sweet Jesus'. But then knowing when enough is enough is important. Like a few years ago, I was minding our baby daughter, Dottie, while my wife went to a meeting. I started putting her to bed about nine o'clock, so that I could have a little reading time, but she had other ideas; women learn early about such things. She just wasn't going to go to sleep. First, it was a story, then another story, 'Okay, lights out'. Then it was a drink of water, and then it was the bathroom. I would read about a paragraph between each. Finally I said, 'Dottie, you have drunk enough water for a camel on a desert crossing, and you have been to the bathroom as many times as a calf with the scours. Now, lie down and go to sleep. If you keep on, you are going to get into trouble. Now learn when it's time to stop'. Lights out, door closed about five minutes, then, I heard a scream. I dashed into her room and asked, 'What in the world is the matter?' Through her tears, she sobbed, 'I stuck my tongue to the night light'. Father, I guess knowing when to stop anything is important, as children, as parents, or as lawmakers. And, I know that our leaders know when enough is enough, and so bless both them and us during these days and help us not to get careless and stick our tongues to any legislative night lights. In Thy name we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 18 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (78-1).

Leaves of absence are granted Representatives Blue, Brawley, Gardner, G. Miller, Miner, G. Robinson, and Sutton for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 159, AN ACT TO REWRITE CHAPTER 48 OF THE GENERAL STATUTES RELATING TO ADOPTION AS RECOMMENDED BY THE GENERAL STATUES COMMISSION. (CHAPTER 457)

S.B. 606, AN ACT TO PROVIDE FOR THE CREATION OF FACILITY AUTHORITIES AND TO ESTABLISH THE CENTENNIAL

AUTHORITY. (CHAPTER 458)

S.B. 1055, AN ACT TO MODIFY THE EXCISE TAX ON NEWSPRINT. (CHAPTER 459)

H.B. 899, AN ACT TO PROVIDE FOR DISPOSAL OF UNCLAIMED PROPERTY BY LANDLORDS, TO AMEND THE LAW OF SUMMARY EJECTMENT BY REDUCING THE TIME ALLOWED FOR A DEFENDANT TO APPEAR IN COURT, AND TO PROVIDE FOR THE EXECUTION OF JUDGMENTS FOR POSSESSION THAT ARE MORE THAN THIRTY DAYS OLD. (CHAPTER 460)

H.B. 1060, AN ACT AMENDING THE GENERAL STATUTES RELATING TO THE CONSOLIDATION OF CITIES AND COUNTIES AND CONSOLIDATED CITY-COUNTY TAXATION AND FINANCE. (CHAPTER 461)

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee are presented:

By Representatives Holmes, Esposito, and Creech for the Committee on Appropriations:

H.B. 306, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 973,** A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA WORKERS' COMPENSATION LOSS COSTS RATING LAW, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Morgan:

H.J.R. 1069, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1995 GENERAL ASSEMBLY TO MEET IN 1996, LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute No. 2 for **H.B. 637,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY, is returned for concurrence in Senate Committee Substitute No. 2, and without objection, is placed on the Calendar for July 24.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Lemmond moves the adoption of the following Conference Report.

H.B. 873

TO: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The Conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 873, AN ACT TO LIMIT THE SUBSTANCES THAT APPLICATORS OF PESTICIDES ARE AUTHORIZED TO APPLY AND TO PROVIDE FOR THE PESTICIDE APPLICATOR'S LICENSE TO BE REVOKED, SUSPENDED, OR DENIED FOR VIOLATING THIS LIMITATION, submit the following report:

The Senate recedes from Senate Amendment #2 and the House and Senate

agree to the following amendment:

on page 1, line 11, by deleting the phrase "chemical composition of" and substituting the phrase "active ingredients contained in"; and

on page 2, line 1, by deleting the phrase "chemical composition of" and substituting the phrase "active ingredients contained in".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 18, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Charles W. Albertson	S/ Joseph S. Lemmond
S/ John G. Blackmon	S/ Linwood E. Mercer
S/ John H. Carrington	S/ Gregory J. Thompson
S/ James D. Speed	

The Conference Report is adopted, by electronic vote (97-0), and the Senate is so notified by Special Message.

CALENDAR (continued)

Senate Committee Substitute No. 2 for **H.B. 481,** A BILL TO BE ENTITLED AN ACT TO REQUIRE PARENTAL OR JUDICIAL CONSENT FOR AN UNEMANCIPATED MINOR'S ABORTION.

On motion of Representative Decker, the House concurs in Senate Committee Substitute No. 2, which changes the title, by electronic vote (95-11), and the bill is ordered enrolled.

Representative R. Hunter states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (96-10).

Committee Substitute for **H.B. 403,** A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF CHILD DAY CARE PROVIDERS AND TO STUDY THE USE OF THE CENTRAL REGISTRY ON CHILD ABUSE AND NEGLECT, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives Blue, Brawley, Gardner, G. Miller, Miner, G. Robinson, and Sutton - 7.

Committee Substitute for **S.B. 121,** A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES FOR ASSESSMENTS OF INHERITANCE TAX FOLLOWING A FEDERAL DETERMINATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Blue, Brawley, Gardner, G. Miller, Miner, G. Robinson, and Sutton - 7.

House Committee Substitute for **S.B. 1049,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE QUALIFIED BUSINESS TAX CREDIT TO ELIMINATE AN UNINTENDED LOOPHOLE THAT ALLOWS DOUBLE CREDITS FOR THE SAME INVESTMENT AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE QUALIFIED BUSINESS TAX CREDIT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Boyd-McIntyre, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Blue, Brawley, Gardner, G. Miller, Miner, G. Robinson, and Sutton - 7.

House Committee Substitute for **S.B. 58,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN VOTER REGISTRATION LAWS AND OTHER ELECTION LAWS.

The bill, as amended, passes its third reading, by electronic vote (99-7), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 182,** A BILL TO BE ENTITLED AN ACT

TO PROVIDE THAT IF A CANDIDATE DIED BEFORE THE PRIMARY ELECTION, THE ESTATE OF THE CANDIDATE SHALL BE ENTITLED TO A REFUND OF THE FILING FEE.

On motion of Representative Gray, Committee Amendment No. 1 is adopted by electronic vote (106-0).

The bill, as amended, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 931,** A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFEGUARDS TO REDUCE THE CHANCES AND LESSEN THE EFFECTS OF WORKERS' COMPENSATION SELF-INSURANCE INSOLVENCIES AND APPROPRIATE FUNDS TO IMPLEMENT THIS ACT, passes its second reading, by electronic vote (101-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 407, A BILL TO BE ENTITLED AN ACT TO EXEMPT TRAILERS FROM THE PAYMENT OF THE GLOBAL TRANSPARK TEMPORARY ZONE VEHICLE REGISTRATION TAX.

On motion of Representative Edwards, Committee Amendment No. 1 is adopted by electronic vote (102-1).

The bill, as amended, passes its second reading, by electronic vote (104-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

House Committee Substitute for **S.B. 631,** A BILL TO BE ENTITLED AN ACT TO ALLOW INDIVIDUALS TO CONTRIBUTE INCOME TAX REFUNDS TO THE HIGHWAY WILDFLOWER FUND.

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (77-31).

The bill fails to pass its second reading by electronic vote (49-58).

Representative Pulley states her voting equipment malfunctioned and requests to be recorded as voting "no". This request is granted. The adjusted vote total is (49-59).

On motion of the Chair, the House recesses at 10:43 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

S.B. 459, A BILL TO BE ENTITLED AN ACT TO AMEND THE BAIL BOND FORFEITURE PROCEDURE PROVIDED BY ARTICLE 26 OF CHAPTER 15A OF THE GENERAL STATUTES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

H.B. 706, A BILL TO BE ENTITLED AN ACT AUTHORIZING CRAVEN COUNTY TO INCREASE ITS ROOM OCCUPANCY TAX FROM THREE PERCENT TO NO MORE THAN SIX PERCENT, TO PROVIDE FOR THE USE OF THE PROCEEDS OF THE ADDITIONAL TAX, AND TO MODIFY THE EXISTING CRAVEN COUNTY ROOM OCCUPANCY TAX, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 966,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE COSMETOLOGY EXAMINATION AND LICENSURE FEES, TO ALLOW THE BOARD TO ADMINISTER EXAMINATIONS FOR LICENSURE OF TEACHERS, AND TO CHARGE A FEE FOR THE EXAMINATION OF TEACHERS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 19, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives that pursuant to **S.J.R. 538**, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO CONSIDER ACTION ON THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION (Resolution 7), the Senate stands ready to repair to the Hall of the House, there to sit in joint session with your Honorable Body.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

RE-REFERRAL

On motion of Representative Miner, pursuant to Rule 39.2, **S.B. 833,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT VEHICLES MAKING FREQUENT STOPS ON HIGHWAYS BE EQUIPPED WITH FLASHING AMBER LIGHTS, is withdrawn from the Committee on Transportation and re-referred to the Committee on Rules, Calendar, and

Operations of the House.

JOINT SESSION

Pursuant to resolution heretofore adopted, and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Senate at the door of the House.

The Speaker directs the admittance of that Honorable Body and its officers. The President of the Senate, the Honorable Dennis A. Wicker, is seated to the right of the Speaker and presented the gavel.

The Joint Session is called to order by the President of the Senate.

The President of the Senate directs the Reading Clerk of the Senate to call the roll to determine a quorum and the following Senators answer present: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Jordan, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McKoy, Odom, Page, Perdue, Plexico, Plyler, Rand, Sawyer, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner - 46.

The President of Senate directs an electronic vote be taken of the House of Representatives to determine a quorum and the following Representatives are recorded as present: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

A quorum of each Chamber is declared present.

STATE BOARD OF EDUCATION CONFIRMATION

The President of the Senate directs the Reading Clerk of each chamber to read letters addressed to the respective Bodies dated March 9, 1995, and April 4, 1995. These letters appointed Ms. Kathy A. Taft and Dr. Jane Norwood, and Mr. Lowell Thomas, respectively.

Pursuant to **S.J.R. 538,** A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO CONSIDER ACTION ON THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, the Joint Session proceeds to act upon the confirmation of the appointments by the Governor of members to the State Board of Education, preceding seriatim.

Senator Winner sends forth the following committee report.

TO THE PRESIDENT AND MEMBERS OF THE SENATE:

In compliance with the provisions of Article IX, Sec. 4, of the North Carolina Constitution and G. S. 115C-10 requiring that appointees to the State Board of Education shall be subject to confirmation by the General Assembly in Joint Session, Governor Hunt has submitted for confirmation by the General Assembly the following names:

Lowell Thomas representing Region Seven for a term beginning immediately to expire March 31, 2003

Kathy A. Taft representing Region One for a term beginning April 1, 1995 to expire March 31, 2003

Jane Norwood filling an At-large position for a term beginning April 1, 1995 to expire March 31, 2003.

The Senate Committee on Education has considered the appointees and makes the following recommendation to the Joint Session:

That the appointments of Lowell Thomas, Kathy A. Taft, and Jane Norwood to the State Board of Education be confirmed.

Respectfully,
S/ Senator Leslie Winner
Co-Chairman

S/ Senator Clark Plexico
Co-Chairman

EDUCATION/HIGHER EDUCATION
COMMITTEE

The Senate confirms Lowell Thomas, Kathy A. Taft, and Jane Norwood together on a single roll call vote.

Those voting in the affirmative are: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Carpenter, Carrington, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Jordan, Kerr, Kincaid, Little, Lucas, Martin of Pitt, Martin of Guilford, McKoy, Odom, Parnell, Perdue, Plexico, Plyler, Rand, Sawyer, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, and Winner - 44.

Those voting in the negative: Senators Clark, Ledbetter, Page, and Webster - 4.

The President of the Senate relinquishes the gavel to the Speaker of the House.

Representative Wood is recognized and sends forth the reports from the House Committee on Education.

July 19, 1995

The Speaker and Members of the House
North Carolina General Assembly
State Legislative Building
Raleigh, North Carolina 27601

Dear Mr. Speaker and Members of the House,

In compliance with the provisions of G.S. 115C-10-11 requiring appointees to the North Carolina State Board of Education to be confirmed by the General Assembly, Governor Hunt has submitted his appointee, Mr. Lowell Thomas, for confirmation.

The House Committee on Education has considered the appointment and makes the following recommendation to the General Assembly:

That the appointment of Mr. Lowell Thomas to the North Carolina State Board of Education for a term to expire March 31, 2003, be confirmed.

Respectfully submitted,
S/ Steve Wood, Chairman
House Committee on Education

The House confirms, by electronic vote (111-1), the appointment of Mr. Lowell Thomas to the State Board of Education.

July 19, 1995

The Speaker and Members of the House
North Carolina General Assembly
State Legislative Building
Raleigh, North Carolina 27601

Dear Mr. Speaker and Members of the House,

In compliance with the provisions of G.S. 115C-10-11 requiring appointees to the North Carolina State Board of Education to be confirmed by the General Assembly, Governor Hunt has submitted his appointee, Dr. Jane Norwood, for confirmation.

The House Committee on Education has considered the appointment and makes the following recommendation to the General Assembly:

That the appointment of Dr. Jane Norwood to the North Carolina State Board of Education for a term to expire March 31, 2003, be confirmed.

Respectfully submitted,
S/ Steve Wood, Chairman
House Committee on Education

The House confirms, by electronic vote (112-0), the appointment of Dr. Jane Norwood to the State Board of Education.

July 19, 1995

The Speaker and Members of the House
North Carolina General Assembly
State Legislative Building

Raleigh, North Carolina 27601

Dear Mr. Speaker and Members of the House,

In compliance with the provisions of G.S. 115C-10-11 requiring appointees to the North Carolina State Board of Education to be confirmed by the General Assembly, Governor Hunt has submitted his appointee, Ms. Kathy A. Taft, for confirmation.

The House Committee on Education has considered the appointment and makes the following recommendation to the General Assembly:

That the appointment of Ms. Kathy A. Taft to the North Carolina State Board of Education for a term to expire March 31, 2003, be confirmed.

Respectfully submitted,
S/ Steve Wood, Chairman
House Committee on Education

The House fails to confirm, by electronic vote (47-64), the appointment of Ms. Kathy A. Taft to the State Board of Education.

The Speaker announces that the appointments of Mr. Lowell Thomas and Dr. Jane Norwood are confirmed and the appointment of Ms. Kathy Taft was not confirmed.

The Speaker orders that notification of the actions taken by the General Assembly sitting in Joint Session be made by the Clerks of each Chamber.

On motion of Senator Basnight, seconded by Representative Daughtry, the Joint Session is dissolved and the Senate returns to its Chamber.

The House resumes its business.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Arnold, Gray, and C. Wilson for the Committee on Finance:

H.B. 389, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF 1,800,000,000 DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR LOANS TO COUNTIES FOR PUBLIC SCHOOL BUILDINGS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar for July 20. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 630,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR BILLING FEES FOR STRUCTURAL AND NATURAL STORMWATER AND DRAINAGE SYSTEMS IN CUMBERLAND COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 20.

House Committee Substitute for **S.B. 927,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SMALL LANDFILLS FOR THE DISPOSAL OF DEMOLITION DEBRIS ARE EXEMPT FROM THE PERMITTING REQUIREMENTS GENERALLY APPLICABLE TO LANDFILLS AND TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO GRANT A VARIANCE IN THE GEOGRAPHIC AREA SERVED BY A SANITARY LANDFILL UNDER CERTAIN CIRCUMSTANCES, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 1069, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1995 GENERAL ASSEMBLY TO MEET IN 1996, LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY, with a favorable report as to committee

substitute resolution, unfavorable as to original resolution.

Pursuant to Rule 36(a), the committee substitute resolution is placed on the Calendar for July 20 as a Special Order of Business. The original resolution is placed on the Unfavorable Calendar.

House Committee Substitute No. 4 for **S.B. 345,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS, with a favorable report as to House Committee Substitute Bill No. 5, unfavorable as to House Committee Substitute Bill No. 4.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 5 is placed on the Calendar. House Committee Substitute Bill No. 4 is placed on the Unfavorable Calendar.

House Committee Substitute No. 3 for **S.B. 974,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURAL BY-PRODUCTS TO BE CERTIFIED, with a favorable report as to House Committee Substitute Bill No. 4, which changes the title, unfavorable as to House Committee Substitute Bill No. 3.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 4 is placed on the Calendar. House Committee Substitute Bill No. 3 is placed on the Unfavorable Calendar.

Representative Gamble inquires of the Chair as to the protocol of the Joint Session. Are the votes of the House and Senate on a single name added together or divided? The Chair states that the votes are separate.

On motion of Representative Morgan, seconded by Representative Buchanan, the House adjourns at 1:45 p.m. to reconvene July 20 at 10:00 a.m.

ONE HUNDRED SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, July 20, 1995

The House meets at 10:00 a.m. pursuant to adjournment and is called to

order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, thank You again for the gift of life today; and for a little more time, that most precious of gifts next to Your love. Yesterday, during the joint session I was impressed again with the joy that there is among politicians and in their politics. I just sat back and watched their faces. They were talking, laughing, patting each other on the back, smiling, and shaking hands. Now what they were saying may have been like homemade soap, about 95% lye, but they were enjoying saying it. Your Word says, 'A merry heart doeth good like a medicine, but a broken spirit drieth the bones'. (Proverbs 17:22) With work so serious and so vital, I just want to thank You that these good folks can laugh, because a lot of folks can't. Like the other day someone all bent out of shape called an office here and really began to unload. The lady who answered just couldn't handle it and so she said to the caller, 'Let me transfer you to someone else'. With her lips she said, 'It's a nut'. The other lady's answer is a classic. She said, 'Hello, thank You for calling the Legislative Nutcracker Institute. If you are a psychotic killer, put down your knife and press one....For Oedipus complexes, have your mother help you press two....For paranoia, make sure no one's watching, then press three....and for co-dependency press four, if it's okay with everyone.' The constituent hung up. Some one needs to raise this lady's pay. Father, thank You for joy, for laughter, for the privilege of work, for the privilege of being in this place. Bless and guide us in all that we do today, and increase in each one of us the art of bearing one another's burdens. Through Christ our Lord we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 19 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (66-32).

Representative Gamble raises a point of order concerning the approval of the Journal in regards to the Joint Session stating that according to Mason's Manual, the votes should have been combined. The Chair states that the House and Senate Legal Counsel agree that the vote should not be combined; that the 120 members of the House should not supersede the 50 members of the Senate as that is unconstitutional.

Representatives W. Brown and Shaw state that their voting equipment

malfunctioned and they request to be recorded as voting "aye" on the motion. Representative Braswell states that his voting equipment malfunctioned and he requests to be recorded as voting "no" on the motion. These requests are granted. The adjusted vote total is (68-33).

Leaves of absence are granted Representatives Berry, Blue, Brawley, Gardner, Nichols, and Sutton for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 481, ACT TO REQUIRE PARENTAL OR JUDICIAL CONSENT FOR AN UNEMANCIPATED MINOR'S ABORTION. (CHAPTER 462)

S.B. 180, ACT TO MODIFY THE PAYMENT AND REPORTING REQUIREMENTS AND THE COLLECTION PROCEDURES FOR UNEMPLOYMENT CONTRIBUTIONS AND TO PROVIDE FOR A REDUCTION IN THESE CONTRIBUTIONS IN CERTAIN CIRCUMSTANCES. (CHAPTER 463)

S.B. 182, ACT TO PROVIDE THAT IF A CANDIDATE DIED BEFORE THE PRIMARY ELECTION, THE ESTATE OF THE CANDIDATE SHALL BE ENTITLED TO A REFUND OF THE FILING FEE. (CHAPTER 464)

S.B. 407, ACT TO EXEMPT TRAILERS FROM THE PAYMENT OF THE GLOBAL TRANSPARK TEMPORARY ZONE VEHICLE REGISTRATION TAX. (CHAPTER 465)

S.B. 57, ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL AND TO MAKE OTHER CHANGES IN THE ABC LAWS. (CHAPTER 466)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Gray, Arnold, and C. Wilson for the Committee on Finance:

House Committee Substitute for **S.B. 528,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MEDIATED SETTLEMENT CONFERENCES IN CIVIL ACTIONS IN SUPERIOR COURT, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

House Committee Substitute for **S.B. 402,** A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE DOMESTIC VIOLENCE LAW BY REQUIRING DOMESTIC VIOLENCE ORDER TO BE ACCESSIBLE BY COMPUTER, TO ALLOW THE JUDGE ISSUING THE ORDER TO REQUIRE SEIZURE OF FIREARMS AND PROHIBIT POSSESSION OF FIREARMS, AND MAKE IT A CLASS H FELONY FOR ANY PERSON SUBJECT TO A DOMESTIC VIOLENCE ORDER TO PURCHASE OR POSSESS ANY FIREARM, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative G. Robinson for the Committee on Ways and Means:

House Committee Substitute for **S.B. 693,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO IMPROVE THE ADMINISTRATION OF THE PROPERTY TAX ON MOTOR VEHICLES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 24.

By Representatives Berry and Howard for the Committee on Welfare Reform and Human Resources:

S.B. 742, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES TO INVESTIGATE THE DEATHS OF CERTAIN THOMAS S. CLASS MEMBERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 24.

By Representatives Justus and Thompson for the Permanent Subcommittee on Justice and Public Safety of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

House Committee Substitute for **S.B. 971,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR GUBERNATORIAL NOMINATION OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS, LEGISLATIVE CONFIRMATION, AND RETENTION BY VOTE OF THE PEOPLE, TO PROVIDE FOR ELECTION OF SUPERIOR COURT JUDGES WITHIN THEIR DISTRICTS, TO REMOVE THE RESTRICTIONS ON JUDICIAL CAMPAIGNS, AND TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE SUPERIOR COURT DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM FOR CERTAIN SUPERIOR COURT JUDGES, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 19, 1995

Mr. Speaker:

On **S.B. 57** (House Committee Substitute No. 2), A BILL TO BE

ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL AND TO MAKE OTHER CHANGES IN THE ABC LAWS, it is ordered that a message be sent to the House of Representatives with the information that the Senate has dismissed the conferees appointed to resolve the differences arising between the two Bodies, reconsidered the vote by which the Senate failed to concur, concurred in the House Committee Substitute bill No. 2, and the President has ordered the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute for **H.B. 55,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SALES TAX PREFERENCES FOR AGRICULTURE APPLY TO AQUACULTURE, is returned for concurrence in Senate amendment and placed on the Calendar for July 24.

Senate Committee Substitute for **H.B. 223,** A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE EXCISE TAX ON SOFT DRINKS OVER FOUR YEARS, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 24.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **H.B. 280,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF CERTAIN PYROTECHNICS TO PERSONS UNDER THE AGE OF SIXTEEN AND TO PROHIBIT THE DISCHARGE OF PYROTECHNICS WITHIN ONE HUNDRED FEET OF WOODLANDS, is returned for concurrence in Senate Amendment No. 2 and placed on the Calendar for July 24.

Upon concurrence, Senate Amendment No. 2 changes the title.

Committee Substitute for **S.B. 53,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF PERSONS CONVICTED OF CERTAIN CRIMINAL SEXUAL OFFENSES, is read the first time and

referred to the Committee on Judiciary II.

S.B. 136, A BILL TO BE ENTITLED AN ACT TO AGAIN EXTEND EXPIRING PROVISIONS, is read the first time and referred to the Committee on Appropriations.

Committee Substitute for **S.B. 202,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE COMPOSTING OF POULTRY CARCASSES AND PROVIDE AN INCOME TAX CREDIT FOR POULTRY COMPOSTING FACILITIES, is read the first time and referred to the Committee on Agriculture.

Senate Committee Substitute for **H.B. 3,** A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, REFORMING THE BUDGET PROCESS, ESTABLISHING AN EMERGENCY RESERVE TRUST FUND, AND PROHIBITING UNFUNDED STATE MANDATES, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 24.

Upon concurrence, the Senate committee substitute changes the title.

CALENDAR

Action is taken on the following:

SPECIAL ORDER OF BUSINESS

Committee Substitute for **H.J.R. 1069,** A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1995 GENERAL ASSEMBLY TO MEET IN 1996, LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (106-2), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 914,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPOINTMENT AND CONDITIONS OF OFFICE OF MEMBERS OF THE BOARDS OF TRUSTEES OF COMMUNITY COLLEGES.

On motion of Representative Dockham, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (106-2), and the bill is ordered enrolled.

Committee Substitute for **S.B. 630,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR BILLING FEES FOR STRUCTURAL AND NATURAL STORMWATER AND DRAINAGE SYSTEMS IN CUMBERLAND COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 121,** A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES FOR ASSESSMENTS OF INHERITANCE TAX FOLLOWING A FEDERAL DETERMINATION, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gamble, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: Representative Allred.

Excused absences: Representatives Berry, Blue, Brawley, Gardner, Nichols, and Sutton - 6.

House Committee Substitute for **S.B. 1049,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE QUALIFIED BUSINESS TAX CREDIT TO ELIMINATE AN UNINTENDED LOOPHOLE THAT ALLOWS DOUBLE CREDITS FOR THE SAME INVESTMENT AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE QUALIFIED BUSINESS TAX CREDIT, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representative Allred.

Excused absences: Representatives Berry, Blue, Brawley, Gardner, Nichols, and Sutton - 6.

Committee Substitute No. 2 for **H.B. 389,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL BUILDING CAPITAL PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF.

Representative Gray offers Amendment No. 1 which is adopted by electronic vote (112-0).

Representative Preston offers Amendment No. 2 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representatives Cocklereece, Decker, Eddins, and Linney - 4.

Excused absences: Representatives Berry, Blue, Brawley, Gardner, Nichols, and Sutton - 6.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative Morgan and without objection, **S.B. 136,** A BILL TO BE ENTITLED AN ACT TO AGAIN EXTEND EXPIRING PROVISIONS, is withdrawn from the Committee on Appropriations and placed on the Calendar for immediate consideration.

The bill passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 306,** A BILL TO BE ENTITLED AN ACT TO AGAIN EXTEND EXPIRING PROVISIONS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

House Committee Substitute for **S.B. 754,** A BILL TO BE ENTITLED AN ACT TO ALLOW MOTOR VEHICLE DEALERS TO INCLUDE IN THEIR POSSESSORY LIENS AMOUNTS FOR RENTAL OF SUBSTITUTE VEHICLES, TO ALLOW LIENORS WHO PURCHASE FOR VALUE AT A SALE TO ACQUIRE CLEAR TITLE TO THE SAME EXTENT AS OTHER PURCHASERS, TO PERMIT A MOTOR VEHICLE DEALER TO NAME A SUCCESSOR TO THE FRANCHISE AND TO REQUIRE THAT OBJECTIONS TO THIS APPOINTMENT BE RAISED AT THE TIME THE APPOINTMENT IS MADE, passes its second reading, by electronic vote (108-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 136, ACT TO AGAIN EXTEND EXPIRING PROVISIONS. (CHAPTER 467)

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.B. 710, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NORTH CAROLINA SELF-INSURANCE GUARANTY FUND AND TO ALLOW A CREDIT AGAINST THE GROSS PREMIUMS TAX FOR ASSESSMENTS PAID BY SELF-INSURERS TO THE GUARANTY FUND, is read the first time and referred to the Committee on Finance.

CONFERENCE REPORT

Representative Tallent sends forth the Conference Report on Committee

Substitute for **S.B. 415,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS AND TO LIMIT THE SIMULTANEOUS CONVERSION/MERGERS OF MUTUAL AND STOCK INSTITUTIONS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 24.

REMARKS

Representative Arnold offers fortieth birthday wishes to the Principal Clerk, Ms. Denise Weeks. Representative Hackney moves that these remarks be spread upon the Journal. The Speaker so orders.

Representative Arnold's remarks are as follows:

"Ladies and gentlemen of the House, there are many privileges by serving in this Body. It has many traditions, especially where we are located and have such a rich southern heritage.

"A Southern gentleman would never disclose the age of a lady, especially when it is nearing such an advanced age, however, one amongst us is deserving of recognition for her many contributions to our heritage and success.

"The photograph and message being passed out to you was deviously acquired, under darkness of night, to share our appreciation for our Principal Clerk.

"Please join me in recognizing Ms. Denise Weeks on her birthday."

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute No. 2 for **H.B. 281,** A BILL TO BE ENTITLED AN ACT TO CREATE THE RESIDENTIAL PROPERTY DISCLOSURE ACT, is returned for concurrence in Senate amendment and placed on the Calendar for July 24.

SUSPENSION OF RULE

Pursuant to Rule 28(e), the Speaker grants permission for Conference Committees to meet between today and the next legislative day.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 590,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO MAKE OTHER TECHNICAL AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar and Operations of the House.

RE-REFERRAL

On motion of Representative Morgan, pursuant to Rule 39.2, **S.B. 874,** A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND RELATED LAWS, is withdrawn from the Committee on Health and Environment and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Rogers, the House adjourns at 11:20 a.m. to reconvene Monday, July 24, 1995, at 7:00 p.m.

ONE HUNDRED THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, July 24, 1995

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, we are ever in Your debt, life, the capacities we possess to know, to feel, to think. The fertile fields of imagination, the realities of family, work and love. From every corner of this

Old North State we come again to our tasks. The task to envision an orderly but free society shepherded by the rule of law. Your Word declares, 'Where there is no vision the people are unrestrained, but happy is he who keeps the law'. (Proverbs 30:18) We shudder at our awesome task for if the law be not God blessed, but only politically designed then the foundations crumble and societies' house collapses in disaster and chaos. Your Word declares again, 'For they sow the wind, and they reap the whirlwind'. (Hosea 8:7) Father, we know all this and subscribe to it, and yet we confess a bewildering compulsion, one that is awesome, fearful, wonderful, enticing, deceptive, and addictive, and her name is politics. She is so attractive, so vivacious, so everything that she has won our hearts completely. We are infatuated, mesmerized, captivated, and subdued. In short we are in love. And, Father, I have enjoyed and count it a privilege to have been able to be in the presence of these people in love these past few months. They have left a deposit of memories in the treasure chest of my heart that I shall be inspired and blessed by through years to come. I have been privileged to see the stars in their eyes, hear the pathos of their pleas, and to dance with them to the strategic melodies of political romance. Thank You for the bills and laws God breathed for good, and give grace for future rectification of any bills and laws not so breathed. Bless for good our Speaker and each one in this House, and every staff member so vital to our tasks. And now Lord, help me to hush so that we can salute the Flag and get down to work or we'll be singing, 'Deck the Halls with Boughs of Holly', for sure. In Thy Name we pray. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 20 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (103-4).

Leaves of absence are granted Representatives Easterling, Hightower, R. Hunter, K. Miller, and G. Robinson for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 121, AN ACT TO REVISE THE PROCEDURES FOR ASSESSMENTS OF INHERITANCE TAX FOLLOWING A FEDERAL DETERMINATION. (CHAPTER 468)

S.B. 630, AN ACT TO PROVIDE FOR BILLING FEES FOR STRUCTURAL AND NATURAL STORMWATER AND DRAINAGE SYSTEMS IN CUMBERLAND COUNTY. (CHAPTER 469)

H.B. 914, AN ACT TO MODIFY THE APPOINTMENT AND CONDITIONS OF OFFICE OF MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES AND BOARDS OF TRUSTEES OF COMMUNITY COLLEGES. (CHAPTER 470)

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from permanent subcommittee are presented:

By Representatives Hayes and Gardner for the Permanent Subcommittee on Human Resources of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 457,** A BILL TO BE ENTITLED AN ACT TO RECOGNIZE AMERICAN SIGN LANGUAGE AS A LANGUAGE OF DEAF PEOPLE IN NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 25.

Committee Substitute No. 1 for **H.B. 624,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 776, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TASK FORCE TO DETERMINE A MINIMUM REIMBURSEMENT RATE FOR ADULT DEVELOPMENTAL ACTIVITY PROGRAMS (ADAP), with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 25.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

H.B. 72, A BILL TO BE ENTITLED AN ACT TO CRIMINALIZE INDECENT LIBERTIES BETWEEN CHILDREN, is returned for concurrence in the Senate amendment and placed on the Calendar for July 25.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 20, 1995

Mr. Speaker:

On **H.B. 873,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE SUBSTANCES THAT APPLICATORS OF PESTICIDES ARE AUTHORIZED TO APPLY AND TO PROVIDE FOR THE PESTICIDE APPLICATOR'S LICENSE TO BE REVOKED, SUSPENDED, OR DENIED FOR VIOLATING THIS LIMITATION, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 20, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 24** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS, and request conferees. The President Pro Tempore appoints:

Senator Winner
Senator Lucas
Senator Davis

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Wood, Russell, Preston, and Crawford as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 20, 1995

Mr. Speaker:

On **S.B. 320** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM CUSTODIAL TRUST ACT AND TO MAKE CONFORMING AMENDMENTS TO THE POWER OF ATTORNEY STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 20, 1995

Mr. Speaker:

On **S.B. 415,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS, which the House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 415** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS AND TO LIMIT THE SIMULTANEOUS CONVERSION/MERGERS OF MUTUAL AND STOCK INSTITUTIONS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **S.B. 415** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS AND TO LIMIT THE SIMULTANEOUS CONVERSION/MERGERS OF MUTUAL AND STOCK INSTITUTIONS to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 20, 1995

Mr. Speaker:

On **S.B. 865** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE LAWS REGARDING THE PURCHASE

OF A HANDGUN TO CONFORM TO THE REQUIREMENTS OF THE "BRADY HANDGUN VIOLENCE PREVENTION ACT", it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute for **S.B. 917,** A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE SOIL AND WATER CONSERVATION COMMISSION AND SUPERVISORS OF SOIL AND WATER CONSERVATION DISTRICTS TO PARTICIPATE IN THE AGRICULTURE COST SHARE PROGRAM FOR NONPOINT SOURCE POLLUTION CONTROL AND TO ALLOCATE FUNDS FOR THE AGRICULTURE COST SHARE PROGRAM FOR NONPOINT SOURCE POLLUTION CONTROL TO BE USED FOR CAPITAL EXPENSES ASSOCIATED WITH DEVELOPING AGRICULTURE WASTE MANAGEMENT MEASURES, is read the first time and referred to the Committee on Agriculture.

S.J.R. 1102, A JOINT RESOLUTION HONORING THE MEMORY OF AMY JEAN JACKSON AND COMMENDING THE HEROISM OF ROBERT G. JACKSON, JR., is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

SPECIAL ORDER OF BUSINESS NO. 1

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 691,** A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON

THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (105-4).

The bill, as amended, passes its second reading by electronic vote (107-2).

Representative Justus objects to the third reading. The bill remains on the Calendar.

SPECIAL ORDER OF BUSINESS NO. 2

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 828,** A BILL TO BE ENTITLED AN ACT TO MAKE APPOINTMENTS TO VARIOUS COMMISSIONS UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

SPECIAL ORDER OF BUSINESS NO. 3

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 901, A BILL TO BE ENTITLED AN ACT TO PROVIDE PARITY BETWEEN THE PRESIDENT PRO TEMPORE AND THE SPEAKER BY HAVING CERTAIN APPOINTMENTS MADE BY OR UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE RATHER THAN THE PRESIDENT OF THE SENATE.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

SUSPENSION OF RULES

Representative Morgan moves to suspend Rule 41(b) in order that House Committee Substitute for **S.B. 691,** A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE, might receive its third reading.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (79-32).

The bill passes its third reading, by electronic vote (109-3), and the bill is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

CALENDAR (continued)

CONFERENCE REPORT

House Committee Substitute for **S.B. 415,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS AND TO LIMIT THE SIMULTANEOUS CONVERSION/MERGERS OF MUTUAL AND STOCK INSTITUTIONS.

On motion of the Chair, the conference report is temporarily displaced.

Senate Committee Substitute No. 2 for **H.B. 637,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY.

On motion of Representative Neely, the House does not concur in Senate Committee Substitute No. 2, by electronic vote (102-5), and conferees are requested.

Committee Substitute for **H.B. 55,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SALES TAX PREFERENCES FOR AGRICULTURE

APPLY TO AQUACULTURE.

On motion of Representative Redwine, the House concurs in Senate Amendment No. 1, by electronic vote (108-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 223,** A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE EXCISE TAX ON SOFT DRINKS OVER FOUR YEARS.

On motion of Representative Gray, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (107-5), and the bill is ordered enrolled.

Committee Substitute for **H.B. 280,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF CERTAIN PYROTECHNICS TO PERSONS UNDER THE AGE OF SIXTEEN AND TO PROHIBIT THE DISCHARGE OF PYROTECHNICS WITHIN ONE HUNDRED FEET OF WOODLANDS.

On motion of Representative Ellis, the House concurs in Senate Amendment No. 2, which changes the title, by electronic vote (101-10), and the bill is ordered enrolled.

The Conference Report on House Committee Substitute for **S.B. 415,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS AND TO LIMIT THE SIMULTANEOUS CONVERSION/MERGERS OF MUTUAL AND STOCK INSTITUTIONS, which was temporarily displaced, is before the Body.

CONFERENCE REPORT

Representative Tallent moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 415

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 415, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS

INSTITUTIONS AND TO LIMIT THE SIMULTANEOUS CONVERSION/MERGERS OF MUTUAL AND STOCK INSTITUTIONS, Third Edition Engrossed 7/6/95, submit the following report:

The House concurs in the Third Edition Engrossed 7/6/95 of Senate Bill 415, with the following amendments:

on page 4, lines 38 and 39, by deleting "of the members of the association of" and substituting "by first class mail to the members of the association to be acquired explaining"; and

on page 6, on line 17, after "bank." and before the next sentence, by inserting:
"Provided; however, with respect to a merger of two mutual savings banks, as an alternative to the methods of notice specified above, the mutual savings bank which is to be the surviving savings bank of the proposed merger may provide the notice of meeting by publication of notice at least once a week for four consecutive weeks in one or more newspapers in general circulation in the county or counties in which the savings bank has its principal and any branch offices."; and

on page 9, lines 13 and 14, by deleting "of the members of the savings bank of" and substituting "by first class mail to the members of the savings bank to be acquired explaining"; and

on page 9, beginning on line 24 by deleting Section 8, and by renumbering the following section accordingly.

The Senate agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 19, 1995.

Conferees for the Senate

Conferees for the House of Representatives

S/ R. C. Soles, Jr. S/ Tim Tallent
S/ Donald R. Kincaid S/ Cary D. Allred
S/ Paul S. Smith S/ Walter Church, Sr.
S/ Ed N. Warren S/ Robert C. Hunter

The Conference Report, which changes the title, is adopted, by electronic vote (110-1), and the Senate is so notified by Special Message.

CONFEREES APPOINTED

The Speaker announces the following conferees on Senate Committee Substitute No. 2 for **H.B. 637,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY: Representatives Neely, Daughtry, Morgan, and Richardson.

The Senate is so notified by Special Message.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 3,** A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, REFORMING THE BUDGET PROCESS, ESTABLISHING AN EMERGENCY RESERVE TRUST FUND, AND PROHIBITING UNFUNDED STATE MANDATES.

On motion of Representative Russell, the House does not concur in the Senate committee substitute, by electronic vote (87-26), and conferees are requested.

The Speaker appoints the following as conferees on the part of the House: Representatives Russell, Crawford, Capps, Cansler and C. Wilson. The Senate is so notified by Special Message.

Committee Substitute No. 2 for **H.B. 281,** A BILL TO BE ENTITLED AN ACT TO CREATE THE RESIDENTIAL PROPERTY DISCLOSURE ACT.

On motion of Representative Thompson, the House concurs in the Senate amendment, by electronic vote (113-0), and the bill is ordered enrolled.

Committee Substitute No. 2 for **H.B. 389,** A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL BUILDING CAPITAL PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: Representatives Allred, Capps, Cocklereece, Decker, Linney, and Wood - 6.

Excused absences: Representatives Easterling, Hightower, K. Miller, and G. Robinson - 4.

House Committee Substitute for **S.B. 693,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO IMPROVE THE ADMINISTRATION OF THE PROPERTY TAX ON MOTOR VEHICLES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker,

Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representative Linney.

Excused absences: Representatives Easterling, Hightower, K. Miller, and G. Robinson - 4.

House Committee Substitute for **S.B. 908,** A BILL TO BE ENTITLED AN ACT RELATING TO THE POWER OF WATER AND SEWER AUTHORITIES AND CITIES AND COUNTIES TO REQUIRE CONNECTIONS TO WATER AND SEWER SYSTEMS, THE NUMBER OF MEMBERS OF CERTAIN METROPOLITAN SEWERAGE DISTRICTS, AND THE POWERS OF THE STANLY AIRPORT AUTHORITY.

Representative Hackney requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Nichols offers Amendment No. 1 which is adopted by electronic vote (112-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye,

Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representative Baker.

Excused absences: Representatives Easterling, Hightower, K. Miller, and G. Robinson - 4.

Excused vote: Representative Hackney.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 140,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PURPOSE FOR A MOMENT OF SILENCE IN THE PUBLIC SCHOOLS AND TO PROHIBIT LOCAL BOARDS OF EDUCATION FROM ADOPTING POLICIES THAT DENY CERTAIN FIRST AMENDMENT RIGHTS.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (109-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 927,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SMALL LANDFILLS FOR THE DISPOSAL OF DEMOLITION DEBRIS ARE EXEMPT FROM THE PERMITTING REQUIREMENTS GENERALLY APPLICABLE TO LANDFILLS AND TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO GRANT A VARIANCE IN THE GEOGRAPHIC AREA SERVED BY A SANITARY LANDFILL UNDER CERTAIN CIRCUMSTANCES.

Representative Decker offers Amendment No. 1.

On motion of the Chair, the bill and pending amendment are temporarily displaced.

S.B. 742, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES TO INVESTIGATE THE DEATHS OF CERTAIN THOMAS S. CLASS MEMBERS.

Representative Nye offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute No. 2 for **H.B. 443,** A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL REAL ESTATE APPRAISERS TO BE LICENSED AND TO PROVIDE FOR THE REGISTRATION OF TRAINEE REAL ESTATE APPRAISERS, is returned for concurrence in three Senate amendments and placed on the Calendar for July 25.

Senate Committee Substitute for **H.B. 550,** A BILL TO BE ENTITLED AN ACT TO ALLOW RANDOLPH COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 25.

The Speaker rules the Senate committee substitute to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 555,** A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA BOXING COMMISSION, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 25.

The Speaker rules the Senate committee substitute to be material, thus constituting its first reading.

H.B. 594, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH AND ACCIDENT INSURANCE AGAINST COVERAGE FOR PROCEDURES INVOLVING CERTAIN BONES OR JOINTS, is returned for concurrence in the Senate amendment and placed on the Calendar for July 25.

Senate Committee Substitute for **H.B. 836,** A BILL TO BE ENTITLED AN ACT TO EXPEDITE THE ENVIRONMENTAL PERMITTING PROCESS BY ALLOWING THE OPTION OF SUBMITTING PERMIT APPLICATIONS CERTIFIED BY A PROFESSIONAL ENGINEER AND ALLOWING THESE APPLICATIONS TO BE IMMEDIATELY SENT TO PUBLIC NOTICE AND HEARING AND SUBJECTED TO SIMULTANEOUS TECHNICAL REVIEW, AND TO INCREASE THE MAXIMUM AMOUNT OF THE FEE THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY ASSESS FOR PROCESSING AN APPLICATION FOR A PERMIT UNDER THE WATER AND AIR QUALITY PROGRAMS, is returned for concurrence in the Senate committee substitute and placed on the Calendar for July 25.

Upon concurrence, the Senate committee substitute changes the title.

CONFERENCE REPORTS

Representative Ellis sends forth the Conference Report on House Committee Substitute for **S.B. 865,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE LAWS REGARDING THE PURCHASE OF A HANDGUN TO CONFORM TO THE REQUIREMENTS OF THE "BRADY HANDGUN VIOLENCE PREVENTION ACT". Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 25.

Representative Daughtry sends forth the Conference Report on House Committee Substitute for **S.B. 320,** A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM CUSTODIAL TRUST ACT AND TO MAKE CONFORMING AMENDMENTS TO THE POWER OF ATTORNEY STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 25.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **S.B. 503,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO ISSUE RESTRICTED COMMERCIAL DRIVERS LICENSES TO SEASONAL DRIVERS FOR CERTAIN FARM-RELATED SERVICES INDUSTRIES, is read the first time and referred to the Committee on Transportation.

CALENDAR (continued)

House Committee Substitute No. 2 for **S.B. 927,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SMALL LANDFILLS FOR THE DISPOSAL OF DEMOLITION DEBRIS ARE EXEMPT FROM THE PERMITTING REQUIREMENTS GENERALLY APPLICABLE TO LANDFILLS AND TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO GRANT A VARIANCE IN THE GEOGRAPHIC AREA SERVED BY A SANITARY LANDFILL UNDER CERTAIN CIRCUMSTANCES, which was temporarily displaced, with pending Amendment No. 1, is before the Body.

Representative Decker withdraws Amendment No. 1.

The bill passes its second reading by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 102.

Voting in the negative: Representatives Barnes, Blue, Esposito, Hackney, Hensley, Howard, Linney, Luebke, Michaux, and Womble - 10.

Excused absences: Representatives Easterling, Hightower, K. Miller, and

G. Robinson - 4.

On motion of Representative Morgan, seconded by Representative Fitch, the House adjourns at 8:25 p.m. to reconvene July 25 at 10:00 a.m.

ONE HUNDRED FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 25, 1995

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Hayes.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 24 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (96-3).

Leaves of absence are granted Representatives Blue, Gray, G. Miller, K. Miller, and G. Robinson for today.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Arnold:

H.R. 1070, A HOUSE RESOLUTION COMMENDING THE ELVIE STREET SCHOOL IN THE CITY OF WILSON FOR ITS PARTICIPATION IN STATE GOVERNMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 24, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 58** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN VOTER REGISTRATION LAWS AND OTHER ELECTION LAWS, and requests conferees. The President Pro Tempore appoints:

Senator Plexico, Chairman
Senator Ballance
Senator Gulley
Senator Kincaid

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Morgan, Justus, Cansler, Grady, and Crawford as conferees on the part of the House and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Daughtry moves the adoption of the following Conference Report.

House Committee Substitute for S. B. 320

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 320, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM

CUSTODIAL TRUST ACT AND TO MAKE CONFORMING AMENDMENTS TO THE POWER OF ATTORNEY STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, Fourth Edition Engrossed 6/29/95, submit the following report:

That the Senate concurs in the House Committee Substitute for Senate Bill 320 (Fourth Edition) with the following amendment:

on page 14, lines 33 and 34, by adding between those lines the following: "33B-22. Limitation on value of custodial trust property.

Transfers or declarations of property to the corpus of a custodial trust under this act shall not exceed in the aggregate one hundred thousand dollars ($100,000) in value, exclusive of the value of the transferor's or declarant's personal residence. This limitation shall not apply to any appreciation in the value of the corpus held in the custodial trust. A good faith violation of this section shall not invalidate a custodial trust."

The House agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July ___, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Fletcher Hartsell	S/ Leo Daughtry
S/ Wilbur Gulley	S/ Willis Brown
S/ John Kerr	S/ Larry Linney

The Conference Report is adopted, by electronic vote (99-0), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Ellis moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 865

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 865, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE LAWS REGARDING THE PURCHASE OF A HANDGUN TO CONFORM TO THE REQUIREMENTS OF THE "BRADY HANDGUN VIOLENCE PREVENTION ACT.", Third Edition Engrossed 6/30/95, submit the following report: The Senate concurs in the House Committee Substitute (Third Edition) with the following amendments:

on page 4, lines 15-22,
by deleting those lines;

and on page 5, lines 15-16,
by deleting "(Second Edition)".

And the House agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July ___, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Betsy L. Cochrane	S/ J. Sam Ellis
S/ John H. Kerr, III	S/ H. M. Michaux, Jr.
S/ Roy A. Cooper, III	S/ Mike Wilkins
S/ Dan R. Simpson	

The Conference Report is adopted, by electronic vote (103-5), and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 550,** A BILL TO BE ENTITLED AN ACT TO ALLOW RANDOLPH COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION.

On motion of Representative Culp, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Blue, Gray, G. Miller, K. Miller, and G. Robinson - 5.

Senate Committee Substitute for **H.B. 555,** A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA BOXING COMMISSION.

On motion of Representative Black, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood,

Wright, and Yongue - 111.

Voting in the negative: Representative Baker.

Excused absences: Representatives Blue, Gray, G. Miller, K. Miller, and G. Robinson - 5.

H.B. 72, A BILL TO BE ENTITLED AN ACT TO CRIMINALIZE INDECENT LIBERTIES BETWEEN CHILDREN.

On motion of the Chair, the bill is temporarily displaced.

Committee Substitute No. 2 for **H.B. 443,** A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL REAL ESTATE APPRAISERS TO BE LICENSED AND TO PROVIDE FOR THE REGISTRATION OF TRAINEE REAL ESTATE APPRAISERS.

On motion of Representative Howard, the House concurs in Senate Amendment No. 1 by electronic vote (108-1).

On motion of Representative Howard, the House concurs in Senate Amendment No. 2 by electronic vote (110-0).

On motion of Representative Howard, the House concurs in Senate Amendment No. 3, by electronic vote (109-1), and the bill is ordered enrolled.

H.B. 594, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH AND ACCIDENT INSURANCE AGAINST COVERAGE FOR PROCEDURES INVOLVING CERTAIN BONES OR JOINTS.

On motion of Representative Miner, the House concurs in Senate Amendment No. 1, by electronic vote (107-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 836,** A BILL TO BE ENTITLED AN ACT TO EXPEDITE THE ENVIRONMENTAL PERMITTING PROCESS BY ALLOWING THE OPTION OF SUBMITTING PERMIT APPLICATIONS CERTIFIED BY A PROFESSIONAL ENGINEER AND ALLOWING THESE APPLICATIONS TO BE IMMEDIATELY SENT TO PUBLIC NOTICE AND HEARING AND SUBJECTED TO SIMULTANEOUS TECHNICAL REVIEW, AND TO INCREASE THE MAXIMUM AMOUNT OF THE FEE THAT THE ENVIRONMENTAL

MANAGEMENT COMMISSION MAY ASSESS FOR PROCESSING AN APPLICATION FOR A PERMIT UNDER THE WATER AND AIR QUALITY PROGRAMS.

On motion of Representative McMahan, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (107-1), and the bill is ordered enrolled.

House Committee Substitute for **S.B. 693,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO IMPROVE THE ADMINISTRATION OF THE PROPERTY TAX ON MOTOR VEHICLES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representative Linney.

Excused absences: Representatives Blue, Gray, G. Miller, K. Miller, and G. Robinson - 5.

House Committee Substitute for **S.B. 908,** A BILL TO BE ENTITLED AN ACT RELATING TO THE POWER OF WATER AND SEWER AUTHORITIES AND CITIES AND COUNTIES TO REQUIRE CONNECTIONS TO WATER AND SEWER SYSTEMS, THE NUMBER OF MEMBERS OF CERTAIN METROPOLITAN SEWERAGE DISTRICTS, AND THE POWERS OF THE STANLY AIRPORT AUTHORITY.

Pursuant to Rule 24.1A(c), the excused vote for Representative Hackney from July 24 continues.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 107.

Voting in the negative: Representative Baker.

Excused absences: Representatives Blue, Gray, G. Miller, K. Miller, and G. Robinson - 5.

Excused vote: Representative Hackney.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 4 for **S.B. 974,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURAL BY-PRODUCTS FROM SWINE PRODUCTION TO BE CERTIFIED.

On motion of Representative Nichols, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 528,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MEDIATED SETTLEMENT

CONFERENCES IN CIVIL ACTIONS IN SUPERIOR COURT AND IN PRELITIGATION FARM NUISANCE DISPUTES passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Miner, Mitchell, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Representatives Fitch and Mercer - 2.

Excused absences: Representatives Blue, Gray, G. Miller, K. Miller, and G. Robinson - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 971,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR GUBERNATORIAL NOMINATION OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS, LEGISLATIVE CONFIRMATION, AND RETENTION BY VOTE OF THE PEOPLE, TO PROVIDE FOR ELECTION OF SUPERIOR COURT JUDGES WITHIN THEIR DISTRICTS, AND TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE SUPERIOR COURT DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM FOR CERTAIN SUPERIOR COURT JUDGES.

On motion of Representative Daughtry, the bill is temporarily displaced.

House Committee Substitute No. 2 for **S.B. 927,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SMALL LANDFILLS FOR THE DISPOSAL OF DEMOLITION DEBRIS ARE EXEMPT FROM THE PERMITTING REQUIREMENTS GENERALLY APPLICABLE TO LANDFILLS AND TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO GRANT A VARIANCE IN THE GEOGRAPHIC AREA SERVED BY A SANITARY LANDFILL UNDER CERTAIN CIRCUMSTANCES.

On motion of Representative Shubert, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 973,** A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA WORKERS' COMPENSATION LOSS COSTS RATING LAW.

Representative Redwine offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 459,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN BAIL BONDS SHALL BE TREATED AS A CASH DEPOSIT AND TO AMEND THE BAIL BOND FORFEITURE PROCEDURE PROVIDED BY ARTICLE 26 OF CHAPTER 15A OF THE GENERAL STATUTES, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Committee Substitute for **H.B. 457,** A BILL TO BE ENTITLED AN ACT TO RECOGNIZE AMERICAN SIGN LANGUAGE AS A LANGUAGE OF DEAF PEOPLE IN NORTH CAROLINA, passes its second reading, by

electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

S.B. 776, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TASK FORCE TO DETERMINE A MINIMUM REIMBURSEMENT RATE FOR ADULT DEVELOPMENTAL ACTIVITY PROGRAMS (ADAP), passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 931, AN ACT TO PROVIDE SAFEGUARDS TO REDUCE THE CHANCES AND LESSEN THE EFFECTS OF WORKERS' COMPENSATION SELF-INSURANCE INSOLVENCIES AND APPROPRIATE FUNDS TO IMPLEMENT THIS ACT. (CHAPTER 471)

H.B. 759, AN ACT TO PROVIDE THAT A HOME FOR THE AGED, SICK, OR INFIRM WHOSE PROPERTY IS EXEMPT FROM PROPERTY TAX IS ALLOWED A REFUND OF STATE AND LOCAL SALES AND USE TAXES. (CHAPTER 472)

H.B. 120, AN ACT TO REVISE THE WINDOW TINTING LAWS. (CHAPTER 473)

H.B. 223, AN ACT TO REDUCE THE EXCISE TAX ON SOFT DRINKS. (CHAPTER 474)

H.B. 280, AN ACT TO PROHIBIT THE SALE OF CERTAIN PYROTECHNICS TO PERSONS UNDER THE AGE OF SIXTEEN. (CHAPTER 475)

H.B. 281, AN ACT TO CREATE THE RESIDENTIAL PROPERTY DISCLOSURE ACT. (CHAPTER 476)

H.B. 55, AN ACT TO PROVIDE THAT SALES TAX PREFERENCES

FOR AGRICULTURE APPLY TO AQUACULTURE. (CHAPTER 477)

H.B. 873, AN ACT TO LIMIT THE SUBSTANCES THAT APPLICATORS OF PESTICIDES ARE AUTHORIZED TO APPLY AND TO PROVIDE FOR THE PESTICIDE APPLICATOR'S LICENSE TO BE REVOKED, SUSPENDED, OR DENIED FOR VIOLATING THIS LIMITATION. (CHAPTER 478)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

House Committee Substitute No. 1 for **S.B. 590,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO MAKE OTHER TECHNICAL AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 874, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND RELATED LAWS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.J.R. 1102, A JOINT RESOLUTION HONORING THE MEMORY OF AMY JEAN JACKSON AND COMMENDING THE HEROISM OF

ROBERT G. JACKSON, JR., with a favorable report.

Pursuant to Rule 36(a), the Senate Joint Resolution is placed on the Calendar.

RE-REFERRAL

On motion of Representative Creech, pursuant to Rule 39.2, Committee Substitute for **H. B. 886,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE APPROPRIATE STATE DEPARTMENTS HOW TO EXERCISE THE STATE'S AUTHORITY UNDER THE CLEAN WATER ACT AND TO ESTABLISH THE WETLANDS MITIGATION BANK AND WETLANDS RESTORATION FUND, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 502,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LICENSING AND REGISTRATION OF ASSISTED LIVING FACILITIES AND TO REPLACE THE ARCHAIC TERM "DOMICILIARY" CARE WITH THE TERM "ADULT" CARE, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Morgan moves, seconded by Representative Lemmond, that the House adjourn, subject to the receipt of Special Messages from the Senate, to reconvene July 26 at 2:00 p.m.

The motion carries.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute for **H.B. 897,** A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 26.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **H.B. 396,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE PORTS TAX CREDIT BY EXPANDING IT TO INCLUDE IMPORTS, BY EXTENDING THE SUNSET ON THE CREDIT, AND BY LIMITING THE CREDIT FOR BULK EXPORTS, is returned for concurrence in Senate amendment and placed on the Calendar for July 26.

Senate Committee Substitute for **H.B. 458,** A BILL TO BE ENTITLED AN ACT TO IMPOSE CONDITIONS FOR THE RESTORATION OR CONTINUED ENJOYMENT OF A DRIVING PRIVILEGE AFTER A CONVICTION FOR DRIVING WHILE IMPAIRED OR DRIVING WHILE A PROVISIONAL LICENSEE AFTER CONSUMING DRUGS OR ALCOHOL, AND TO PROMOTE COMPLIANCE WITH THESE CONDITIONS, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 26.

Upon concurrence, the Senate committee substitute changes the title.

The House stands adjourned at 1:06 p.m.

ONE HUNDRED FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, July 26, 1995

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Shaw.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 25 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-5).

Leaves of absence are granted Representatives Blue, K. Miller, G. Robinson, Wainwright, and Wood for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 415, AN ACT TO PROVIDE FOR THE MERGER OF BANKS AND SAVINGS INSTITUTIONS AND TO LIMIT THE SIMULTANEOUS CONVERSION/MERGERS OF MUTUAL AND STOCK INSTITUTIONS. (CHAPTER 479)

S.B. 754, AN ACT TO ALLOW MOTOR VEHICLE DEALERS TO INCLUDE IN THEIR POSSESSORY LIENS AMOUNTS FOR RENTAL OF SUBSTITUTE VEHICLES, TO ALLOW LIENORS WHO PURCHASE FOR VALUE AT A SALE TO ACQUIRE CLEAR TITLE TO THE SAME EXTENT AS OTHER PURCHASERS, TO PERMIT A MOTOR VEHICLE DEALER TO NAME A SUCCESSOR TO THE FRANCHISE AND TO REQUIRE THAT OBJECTIONS TO THIS APPOINTMENT BE RAISED AT THE TIME THE APPOINTMENT IS MADE. (CHAPTER 480)

S.B. 776, AN ACT TO ESTABLISH A TASK FORCE TO DETERMINE A MINIMUM REIMBURSEMENT RATE FOR ADULT DEVELOPMENTAL ACTIVITY PROGRAMS (ADAP). (CHAPTER 481)

H.B. 443, AN ACT TO REQUIRE ALL REAL ESTATE APPRAISERS TO BE LICENSED AND TO PROVIDE FOR THE REGISTRATION OF TRAINEE REAL ESTATE APPRAISERS. (CHAPTER 482)

H.B. 594, AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH AND ACCIDENT INSURANCE AGAINST COVERAGE FOR PROCEDURES INVOLVING CERTAIN BONES OR JOINTS. (CHAPTER 483)

H.B. 836, AN ACT TO EXPEDITE THE ENVIRONMENTAL PERMITTING PROCESS BY ALLOWING THE OPTION OF SUBMITTING PERMIT APPLICATIONS CERTIFIED BY A PROFESSIONAL ENGINEER AND ALLOWING THESE APPLICATIONS TO BE EXPEDITIOUSLY PROCESSED BY PROVIDING EARLY PUBLIC NOTICE, PUBLIC HEARING, AND TECHNICAL REVIEW, AND TO INCREASE THE MAXIMUM AMOUNT OF THE FEE THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY ASSESS FOR PROCESSING AN APPLICATION FOR A PERMIT UNDER THE WATER AND AIR QUALITY PROGRAMS. (CHAPTER 484)

H.B. 952, AN ACT TO ESTABLISH THE NORTH CAROLINA BRIDGE AUTHORITY. (CHAPTER 485)

S.B. 320, AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM CUSTODIAL TRUST ACT AND TO MAKE CONFORMING AMENDMENTS TO THE POWER OF ATTORNEY STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 486)

S.B. 865, AN ACT TO AMEND THE STATE LAWS REGARDING THE PURCHASE OF A HANDGUN TO CONFORM TO THE REQUIREMENTS OF THE "BRADY HANDGUN VIOLENCE PREVENTION ACT". (CHAPTER 487)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute for **H.B. 306,** A BILL TO BE ENTITLED AN ACT TO AGAIN EXTEND EXPIRING PROVISIONS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar for July 27. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 502,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LICENSING AND REGISTRATION OF ASSISTED LIVING FACILITIES AND TO REPLACE THE ARCHAIC TERM "DOMICILIARY" CARE WITH THE TERM "ADULT" CARE, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative J. Brown for the Committee on Agriculture:

Committee Substitute for **S.B. 202,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE COMPOSTING OF POULTRY CARCASSES AND PROVIDE AN INCOME TAX CREDIT FOR POULTRY COMPOSTING FACILITIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Ways and Means.

The bill is re-referred to the Committee on Ways and Means.

Committee Substitute for **S.B. 917,** A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE SOIL AND WATER CONSERVATION COMMISSION AND SUPERVISORS OF SOIL AND WATER CONSERVATION DISTRICTS TO PARTICIPATE IN THE AGRICULTURE COST SHARE PROGRAM FOR NONPOINT SOURCE POLLUTION CONTROL AND TO ALLOCATE FUNDS FOR THE AGRICULTURE COST SHARE PROGRAM FOR NONPOINT SOURCE POLLUTION CONTROL TO BE USED FOR CAPITAL EXPENSES ASSOCIATED WITH DEVELOPING AGRICULTURE WASTE MANAGEMENT MEASURES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

CALENDAR

Action is taken on the following:

SPECIAL ORDER OF BUSINESS

Senate Committee Substitute for **H.B. 897,** A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

On motion of Representative Morgan, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (109-0), and the bill is ordered enrolled.

Representative Fitch states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (110-0).

House Committee Substitute for **S.B. 874,** A BILL TO BE ENTITLED AN ACT TO CONFIRM THE WATER RIGHTS OF THE STATE IN THE ROANOKE RIVER BASIN AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Senate Committee Substitute for **H.B. 550,** A BILL TO BE ENTITLED AN ACT TO ALLOW RANDOLPH COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION.

On motion of Representative Culp, the House concurs in the material Senate committee substitute on its third roll call reading, which changes the title, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Blue, K. Miller, G. Robinson, Wainwright, and Wood - 5.

Senate Committee Substitute for **H.B. 555,** A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA BOXING COMMISSION.

On motion of Representative Black, the bill is temporarily displaced.

H.B. 72, A BILL TO BE ENTITLED AN ACT TO CRIMINALIZE INDECENT LIBERTIES BETWEEN CHILDREN.

On motion of Representative Decker, the House concurs in Senate Amendment No. 1, by electronic vote (104-5), and the bill is ordered enrolled.

Committee Substitute for **H.B. 396,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE PORTS TAX CREDIT BY EXPANDING IT TO INCLUDE IMPORTS, BY EXTENDING THE SUNSET ON THE CREDIT, AND BY LIMITING THE CREDIT FOR BULK EXPORTS.

On motion of Representative McComas, the House concurs in Senate Amendment No. 1, by electronic vote (108-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 458,** A BILL TO BE ENTITLED AN ACT TO IMPOSE CONDITIONS FOR THE RESTORATION OR CONTINUED ENJOYMENT OF A DRIVING PRIVILEGE AFTER A CONVICTION FOR DRIVING WHILE IMPAIRED OR DRIVING WHILE A PROVISIONAL LICENSEE AFTER CONSUMING DRUGS OR ALCOHOL, AND TO PROMOTE COMPLIANCE WITH THESE CONDITIONS.

On motion of Representative Richardson, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (111-0), and the bill is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 706,** A BILL TO BE ENTITLED AN ACT AUTHORIZING VARIOUS LOCAL GOVERNMENTS TO LEVY OR INCREASE A ROOM OCCUPANCY TAX SUBJECT TO APPROVAL BY THE VOTERS AND MODIFYING THE METHOD OF APPOINTMENT OF MEMBERS TO THE HAYWOOD COUNTY TOURISM DEVELOPMENT AUTHORITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Church, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Dickson,

Dockham, Earle, Easterling, Edwards, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Preston, Pulley, Ramsey, Redwine, Richardson, Rogers, Sexton, Shaw, Sherrill, Sutton, Tallent, Tolson, Warner, Weatherly, Wilkins, Womble, Wright, and Yongue - 87.

Voting in the negative: Representatives Aldridge, Allred, Capps, Clary, Creech, Davis, Decker, Eddins, Hayes, Kiser, McComas, Pate, Rayfield, Reynolds, Russell, Thompson, Watson, and G. Wilson - 18.

Excused absences: Representatives Blue, K. Miller, G. Robinson, Wainwright, and Wood - 5.

Representative Fitch states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (88-18).

House Committee Substitute No. 2 for **S.B. 927,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SMALL LANDFILLS FOR THE DISPOSAL OF DEMOLITION DEBRIS ARE EXEMPT FROM THE PERMITTING REQUIREMENTS GENERALLY APPLICABLE TO LANDFILLS AND TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO GRANT A VARIANCE IN THE GEOGRAPHIC AREA SERVED BY A SANITARY LANDFILL UNDER CERTAIN CIRCUMSTANCES, with pending Amendment No. 1, is before the Body.

Representative Baker withdraws Amendment No. 1.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Those voting in the affirmative are: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Easterling, Eddins, Edwards, Ellis, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes,

Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wright - 91.

Voting in the negative: Representatives Adams, Alexander, Barnes, Braswell, Earle, Esposito, Fitch, Fox, Hackney, Hensley, Hightower, Hunt, H. Hunter, Linney, Luebke, McLaughlin, Michaux, Redwine, Sutton, Womble, and Yongue - 21.

Excused absences: Representatives Blue, K. Miller, G. Robinson, Wainwright and Wood - 5.

House Committee Substitute No. 2 for **S.B. 528,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MEDIATED SETTLEMENT CONFERENCES IN CIVIL ACTIONS IN SUPERIOR COURT AND IN PRELITIGATION FARM NUISANCE DISPUTES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: Representative Sutton.

Excused absences: Representatives Blue, K. Miller, G. Robinson, Wainwright, and Wood - 5.

Representative Neely, having voted with the prevailing side, moves that the vote by which the bill passed its third reading be reconsidered. The motion carries.

Representative Neely offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Edwards, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Richardson, J. Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Weatherly, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 99.

Voting in the negative: None.

Excused absences: Representatives Blue, K. Miller, G. Robinson, Wainwright, and Wood - 5.

Representatives Pulley, Eddins, Black, Wilkins, and Aldridge state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (104-0).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 5 for **S.B. 52,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF CHAPTER 146 CONCERNING STATE-OWNED SUBMERGED LANDS.

Representative Preston offers Amendment No. 1 which is adopted by electronic vote (110-0).

Representative Gamble offers Amendment No. 2.

Representative Nichols calls the previous question on the amendment and the call is sustained by electronic vote (68-42).

Amendment No. 2 fails of adoption by electronic vote (41-71).

Representative Shubert states that her voting equipment malfunctioned and she requests to be recorded as voting "no". This request is granted. The adjusted vote total is (40-72).

Representative Luebke offers Amendment No. 3.

On motion of Representative Edwards, seconded by Representative Nichols, Amendment No. 3 is tabled by electronic vote (59-47).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (78-32).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baker, Barbee, Black, Bowie, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wright - 84.

Voting in the negative: Representatives Alexander, Barnes, Beall, Bowen, Braswell, Cunningham, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Howard, Hunt, Lee, Linney, Luebke, McAllister, Michaux, G. Miller, Oldham, Ramsey, Shaw, Sutton, Warner, Womble, and Yongue - 27.

Excused absences: Representatives Blue, K. Miller, G. Robinson, Wainwright, and Wood - 5.

House Committee Substitute No. 4 for **S.B. 974**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURAL BY-PRODUCTS FROM SWINE PRODUCTION TO BE CERTIFIED.

Representative Watson calls the previous question on the passage of the bill and the call is sustained by electronic vote (66-46).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Arnold, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Grady, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Hurley, Ives, Justus, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Womble - 86.

Voting in the negative: Representatives Adams, Alexander, Baker, Barnes, Carpenter, Cocklereece, Cunningham, Fitch, Fox, Gamble, Hackney, Hensley, H. Hunter, R. Hunter, Kiser, Luebke, Mercer, Michaux, G. Miller, Oldham, Shaw, Sutton, Wright, and Yongue - 24.

Excused absences: Representatives Blue, K. Miller, G. Robinson, Wainwright, and Wood - 5.

House Committee Substitute No. 2 for **S.B. 971,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR GUBERNATORIAL NOMINATION OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS, LEGISLATIVE CONFIRMATION, AND RETENTION BY VOTE OF THE PEOPLE, TO PROVIDE FOR ELECTION OF SUPERIOR COURT JUDGES WITHIN THEIR DISTRICTS, AND TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE SUPERIOR COURT DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-

YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM FOR CERTAIN SUPERIOR COURT JUDGES.

On motion of Representative Daughtry, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 5 for **S.B. 345,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS.

Representative Owens offers Amendment No. 1 which is adopted by electronic vote (100-3).

Representative Daughtry requests that he be excused from voting on this bill under Rule 24.1A, because of a conflict regarding serving on a public corporation, and this request is granted.

Representative Pulley offers Amendment No. 2.

Representative Brawley offers perfecting Amendment No. 3 which fails of adoption by electronic vote (22-84).

Representative Pulley calls the previous question on Amendment No. 2 and the call is sustained by electronic vote (86-23).

Amendment No. 2 is adopted by electronic vote (86-24).

Representative Morgan offers Amendment No. 4 which is adopted by electronic vote (90-9).

Representative Adams states that her voting equipment malfunctioned and she requests to be recorded as voting "no". This request is granted. The adjusted vote total is (90-10).

Representative Hightower inquires of the Chair if the bill needs to be referred to the Committee on Finance as it appears to impose a new premium tax. The Chair rules that the amendment does not impose a new tax and does not need to go to the Committee on Finance.

The bill, as amended, passes its second reading, by electronic vote

(83-17).

Representative Allred objects to the third reading. The bill remains on the Calendar.

RETURN OF BILL FROM SENATE

On motion of Representative W. Brown, the return of House Committee Substitute No. 2 for **S.B. 528,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MEDIATED SETTLEMENT CONFERENCES IN CIVIL ACTIONS IN SUPERIOR COURT AND IN PRELITIGATION FARM NUISANCE DISPUTES, is requested from the Senate.

On motion of Representative W. Brown, the vote by which the bill passed its third reading is reconsidered.

Representative W. Brown offers Amendment No. 2 which is adopted by electronic vote (106-0).

The bill, as amended, passes its third reading by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Esposito, Holmes, K. Miller, G. Robinson, Wainwright, and Wood - 6.

Senate Committee Substitute for **H.B. 555,** A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA BOXING COMMISSION, which was temporarily displaced, is before the Body.

On motion of Representative Black, the House concurs in the material Senate committee substitute on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: Representative Baker.

Excused absences: Representatives Esposito, Holmes, K. Miller, G. Robinson, Wainwright, and Wood - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 590,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO MAKE OTHER CORRECTIONS AND TECHNICAL AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, passes its second reading, by electronic vote (105-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Allred withdraws his objection to the third reading of House Committee Substitute No. 5 for **S.B. 345,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS.

Representative Luebke objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 26, 1995

Mr. Speaker:

Pursuant to your message received Tuesday, July 25, 1995 that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 3** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, REFORMING THE BUDGET PROCESS, ESTABLISHING AN EMERGENCY RESERVE TRUST FUND, AND PROHIBITING UNFUNDED STATE MANDATES, which the Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 3** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT THE TAXPAYERS OF NORTH CAROLINA BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, PROHIBITING UNFUNDED STATE MANDATES, AND ESTABLISHING OTHER TAXPAYER RIGHTS, and requests conferees, the President Pro Tempore appoints:

Senator Hoyle, Chairman
Senator Kerr
Senator Little
Senator Gulley
Senator Conder
Senator Davis

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 1100, A JOINT RESOLUTION HONORING THE CONTRIBUTIONS OF THE 82ND AIRBORNE DIVISION AND REMEMBERING THE TWENTY-FOUR PARATROOPERS FROM THE 82ND AIRBORNE DIVISION WHO LOST THEIR LIVES DURING A ROUTINE TRAINING MISSION ON MARCH 23, 1994, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRAL

On motion of Representative Gray, pursuant to Rule 39.2, **S.B. 458,** A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF GREENVILLE, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Carpenter, the House adjourns at 5:04 p.m. to reconvene July 27 at 4:00 p.m.

ONE HUNDRED SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, July 27, 1995

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Yongue.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 26 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-4).

Leaves of absence are granted Representatives Barnes, Fox, K. Miller, Oldham, G. Robinson, Wainwright, Weatherly and G. Wilson for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

S.B. 712, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM AND DURHAM COUNTY TO APPLY TO THE SUPERIOR COURT FOR COMPENSATORY AND PUNITIVE DAMAGES IN CASES WHERE INTENTIONAL DISCRIMINATION IS FOUND IN EMPLOYMENT PRACTICES AND TO AUTHORIZE PARTIES TO ELECT BETWEEN HAVING A HEARING IN SUPERIOR COURT OR BEFORE THE ENFORCEMENT AGENCY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Culp for the Committee on Public Employees:

S.B. 914, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SHARING OF SICK LEAVE BETWEEN PUBLIC SCHOOL EMPLOYEES AND STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.B. 458, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF GREENVILLE, with a

favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 28.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 706,** A BILL TO BE ENTITLED AN ACT AUTHORIZING VARIOUS LOCAL GOVERNMENTS TO LEVY OR INCREASE A ROOM OCCUPANCY TAX SUBJECT TO APPROVAL BY THE VOTERS AND MODIFYING THE METHOD OF APPOINTMENT OF MEMBERS TO THE HAYWOOD COUNTY TOURISM DEVELOPMENT AUTHORITY.

Representative Kiser offers Amendment No. 1 which is adopted by electronic vote (92-11).

Representative Cocklereece offers Amendment No. 2 which fails of adoption by electronic vote (39-66).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Barbee, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Church, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Redwine, Richardson, Rogers, Shaw, Sherrill, Shubert, Sutton, Tolson, Warner, Watson, Wilkins, Womble, Wright, and Yongue - 85.

Voting in the negative: Representatives Aldridge, Allred, Baker, Capps, Carpenter, Clary, Cocklereece, Davis, Eddins, Hayes, Kiser, McComas, Rayfield, Reynolds, Russell, Sexton, Sharpe, Thompson, C. Wilson, and Wood - 20.

Excused absences: Representatives Barnes, Fox, K. Miller, Oldham,

G. Robinson, Wainwright, Weatherly, and G. Wilson - 8.

House Committee Substitute No. 5 for **S.B. 52,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF CHAPTER 146 CONCERNING STATE-OWNED SUBMERGED LANDS.

Representative Luebke offers Amendment No. 4 which fails of adoption by electronic vote (37-69).

Representative Preston calls the previous question on the passage of the bill and the call is sustained by electronic vote (71-32).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 5 by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Baker, Barbee, Berry, Black, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Thompson, Tolson, Warner, Watson, Wilkins, C. Wilson, Wood, and Wright - 85.

Voting in the negative: Representatives Alexander, Beall, Blue, Braswell, Cunningham, Fitch, Gamble, Hackney, Hensley, Hightower, Howard, Hunt, Lee, Linney, Luebke, Michaux, G. Miller, Ramsey, Shaw, Sutton, Womble, and Yongue - 22.

Excused absences: Representatives Barnes, Fox, K. Miller, Oldham, G. Robinson, Wainwright, Weatherly, and G. Wilson - 8.

House Committee Substitute No. 4 for **S.B. 974,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURAL BY-PRODUCTS FROM SWINE PRODUCTION TO BE CERTIFIED.

Representative Nichols moves to suspend Rule 31(d) in order that he might offer an amendment which would change the title.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (66-40).

The motion fails by electronic vote (49-57).

Representative Luebke moves to suspend Rule 31(d) in order that he might offer an amendment which would change the title.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (74-33).

The motion fails by electronic vote (38-69).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (75-30).

The bill passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 4 by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Barbee, Beall, Berry, Black, Bowen, Bowie , Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Thompson, Tolson, Warner, Watson, Wilkins, C. Wilson, Wood, Wright, and Yongue - 92.

Voting in the negative: Representatives Alexander, Baker, Blue, Boyd-McIntyre, Braswell, Carpenter, Cocklereece, Cunningham, Easterling, Fitch, Kiser, Lee, Luebke, G. Miller, Shaw, and Womble - 16.

Excused absences: Representatives Barnes, Fox, K. Miller, Oldham, G. Robinson, Wainwright, Weatherly, and G. Wilson - 8.

House Committee Substitute No. 2 for **S.B. 971,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR GUBERNATORIAL NOMINATION OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS, LEGISLATIVE CONFIRMATION, AND RETENTION BY VOTE OF THE PEOPLE, TO PROVIDE FOR ELECTION OF SUPERIOR COURT JUDGES WITHIN THEIR DISTRICTS, AND TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE SUPERIOR COURT DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM FOR CERTAIN SUPERIOR COURT JUDGES.

On motion of Representative Daughtry, the bill is temporarily displaced.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 897, AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES; AND TO INCREASE THE NUMBER OF GENERAL ASSEMBLY APPOINTEES TO THE WESTERN NORTH CAROLINA REGIONAL ECONOMIC DEVELOPMENT COMMISSION. (CHAPTER 488)

H.B. 550, AN ACT REMOVING A CERTAIN TRACT OF PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF RAMSEUR AND TO LIMIT ANNEXATION AND EXTRATERRITORIAL ZONING IN THE TOWN OF NORTH TOPSAIL BEACH. (CHAPTER 489)

S.B. 901, AN ACT TO PROVIDE PARITY BETWEEN THE PRESIDENT PRO TEMPORE AND THE SPEAKER BY HAVING CERTAIN APPOINTMENTS MADE BY OR UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE RATHER THAN THE PRESIDENT OF THE SENATE. (CHAPTER 490)

S.B. 1049, AN ACT TO CLARIFY THE QUALIFIED BUSINESS TAX CREDIT TO ELIMINATE AN UNINTENDED LOOPHOLE THAT

ALLOWS DOUBLE CREDITS FOR THE SAME INVESTMENT AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE QUALIFIED BUSINESS TAX CREDIT. (CHAPTER 491)

S.B. 691, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE. (CHAPTER 492)

S.B. 828, AN ACT TO MAKE APPOINTMENTS TO VARIOUS COMMISSIONS UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE. (CHAPTER 493)

H.B. 72, AN ACT TO CRIMINALIZE INDECENT LIBERTIES BETWEEN CHILDREN. (CHAPTER 494)

H.B. 396, AN ACT TO MODIFY THE STATE PORTS TAX CREDIT BY EXPANDING IT TO INCLUDE IMPORTS, BY EXTENDING THE SUNSET ON THE CREDIT, AND BY LIMITING THE CREDIT FOR BULK EXPORTS. (CHAPTER 495)

H.B. 458, AN ACT TO IMPOSE CONDITIONS FOR THE RESTORATION OF A DRIVERS LICENSE AFTER A CONVICTION FOR CERTAIN ALCOHOL-RELATED DRIVING OFFENSES AND TO PROMOTE COMPLIANCE WITH THESE CONDITIONS. (CHAPTER 496)

S.B. 140, AN ACT TO CLARIFY THE PURPOSE FOR A MOMENT OF SILENCE IN THE PUBLIC SCHOOLS AND TO PROHIBIT LOCAL BOARDS OF EDUCATION FROM ADOPTING POLICIES THAT DENY CERTAIN FIRST AMENDMENT RIGHTS. (CHAPTER 497)

S.B. 742, AN ACT TO AUTHORIZE THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES TO INVESTIGATE THE DEATHS OF CERTAIN THOMAS S. CLASS MEMBERS. (CHAPTER 498)

H.B. 555, AN ACT TO CREATE A NORTH CAROLINA BOXING COMMISSION. (CHAPTER 499)

S.B. 528, AN ACT TO ESTABLISH THE MEDIATED SETTLEMENT CONFERENCES IN CIVIL ACTIONS IN SUPERIOR COURT AND IN PRELITIGATION FARM NUISANCE DISPUTES. (CHAPTER 500)

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 27, 1995

Mr. Speaker:

On **H.B. 353** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CONFERENCE REPORT

Representative Morgan sends forth the Conference Report on House Committee Substitute for **S.B. 200,** A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 2 OF CHAPTER 119 OF THE GENERAL STATUTES REGARDING THE REGULATION OF REREFINED OR REPROCESSED OIL. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 28.

CALENDAR (continued)

House Committee Substitute No. 5 for **S.B. 345,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS.

Pursuant to Rule 24.1A(c), the request that Representative Daughtry be excused from voting on July 26 is continued.

Representative Brawley offers Amendment No. 5 which fails of adoption by electronic vote (26-77).

The bill, as amended, passes its third reading, by electronic vote (92-11),

and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 5 by Special Message.

CONFERENCE REPORT

Representative Hackney sends forth the Conference Report on Senate Committee Substitute for **H.B. 353,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED. Without objection, the Conference Report is placed on today's Calendar.

On motion of the Chair, the House recesses at 5:24 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 898, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PUBLIC LAWS OF NORTH CAROLINA, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **H.B. 738,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF TWENTY-THREE MILLION NINE HUNDRED THOUSAND DOLLARS OF COMMUNITY COLLEGE

BONDS OR NOTES AND TO APPROPRIATE THE PROCEEDS OF THESE BONDS AND NOTES FOR SPECIFIC COMMUNITY COLLEGE CAPITAL PROJECTS, is returned for concurrence in Senate amendment and placed on the Calendar for July 28.

Upon concurrence, the Senate amendment changes the title.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 306,** A BILL TO BE ENTITLED AN ACT TO EXTEND EXPIRING PROVISIONS AGAIN.

Representative Creech offers Amendment No. 1 which is adopted by electronic vote (95-1).

The bill, as amended, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 143, A BILL TO REPEAL THE RESTRICTIONS ON DEALINGS WITH SOUTH AFRICA NOW THAT THE POLICIES OF THAT COUNTRY HAVE CHANGED, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 783,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FORFEITURE OF PROPERTY OWNED BY PERSONS PARTICIPATING IN NUISANCES ON THE PROPERTY INVOLVING THE SALE OR USE OF NARCOTIC DRUGS.

Representative Neely calls the previous question on the passage of the bill and the call is sustained by electronic vote (75-28).

The bill, as amended, passes its second reading by electronic vote (83-19).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.J.R. 1102, A JOINT RESOLUTION HONORING THE MEMORY OF AMY JEAN JACKSON AND COMMENDING THE HEROISM OF ROBERT G. JACKSON, JR.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (101-0).

The bill, as amended, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

CONFERENCE REPORT

Representative Hackney moves the adoption of the following Conference Report.

Senate Committee Substitute No. 2 for H.B. 353

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 353, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED, Senate Judiciary I/Constitution Committee Substitute No. 2 Adopted 6/29/95, submit the following report:

The Senate and House agree to the following amendments to the Senate Committee Substitute, Senate Judiciary I/Constitution Committee Substitute No. 2 Adopted 6/29/95, and the House concurs in the Senate Committee Substitute as amended:

on page 6, lines 5 and 6,

by rewriting the lines to read:
"of this section shall be punished as a Class 3 misdemeanor for the first offense and shall";

and on page 6, line 38 through page 7, line 17,
by deleting the lines and renumbering the remaining sections accordingly.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 26, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Fountain Odom	S/ Joe Hackney
S/ Roy A. Cooper, III	S/ Charles B. Neely
S/ Patrick J. Ballantine	S/ Joanne W. Bowie
S/ James Forrester	S/ Joe L. Kiser
S/ Anthony E. Rand	S/ William Culpepper, III

The Conference Report is adopted, by electronic vote (106-1), and the Senate is so notified by Special Message.

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled.

CALENDAR (continued)

House Committee Substitute No. 2 for **S.B. 971,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR GUBERNATORIAL NOMINATION OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS, LEGISLATIVE CONFIRMATION, AND RETENTION BY VOTE OF THE PEOPLE, TO PROVIDE FOR ELECTION OF SUPERIOR COURT JUDGES WITHIN THEIR DISTRICTS, AND TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PROMOTE JUDICIAL ECONOMY AND EFFICIENCY WITHIN THE SUPERIOR COURT DIVISION OF THE GENERAL COURT OF JUSTICE BY PROVIDING FOR FULL EIGHT-YEAR TERMS OF OFFICE WHEN VACANCIES ARISE AND AN ELECTION IS HELD OTHER THAN AT THE EXPIRATION OF THE PRIOR TERM FOR CERTAIN SUPERIOR COURT JUDGES, which was

temporarily displaced, is before the Body.

Representative Daughtry offers Amendment No. 1.

Representative Daughtry calls the previous question on the amendment, and the call is sustained by electronic vote (75-28).

Amendment No. 1 is adopted by electronic vote (76-31).

Representative Linney offers Amendment No. 2 which fails of adoption by electronic vote (45-59).

Representative G. Miller moves to suspend Rule 31(d) in order that he might offer an amendment which would change the title.

Representative Daughtry calls the previous question on the motion and the call is sustained by electronic vote (64-38).

The motion to suspend Rule 31(d) fails by electronic vote (47-55).

Representative G. Miller offers Amendment No. 3.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (77-28).

Amendment No. 3 is adopted by electronic vote (100-7).

Representative Thompson calls the previous question on the passage of the bill and the call is sustained by electronic vote (67-36).

The bill fails of a three-fifth's majority by the following vote.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Baker, Barbee, Berry, Bowie, Brawley, J. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Cummings, Daughtry, Decker, Dickson, Dockham, Easterling, Edwards, Esposito, Gardner, Grady, Hayes, Hiatt, Hill, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Locke, McComas, McCombs, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Thompson, Watson, and C. Wilson - 62.

Voting in the negative: Representatives Adams, Alexander, Beall, Black, Blue, Boyd-McIntyre, Braswell, W. Brown, Crawford, Culpepper, Cunningham, Davis, Earle, Eddins, Ellis, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hunt, H. Hunter, R. Hunter, Lee, Linney, Luebke, McAllister, McCrary, Michaux, G. Miller, Nichols, Nye, Ramsey, Redwine, Sutton, Tolson, Warner, Wilkins, Womble, Wood, Wright, and Yongue - 43.

Excused absences: Representatives Barnes, Cansler, Gray, Hurley, K. Miller, Oldham, G. Robinson, Wainwright, Weatherly, and G. Wilson - 10.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **S.B. 914,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SHARING OF SICK LEAVE BETWEEN PUBLIC SCHOOL EMPLOYEES AND STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRALS

On motion of Representative Morgan, pursuant to Rule 39.2, **S.B. 710,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE NORTH CAROLINA SELF-INSURANCE GUARANTY FUND AND TO ALLOW A CREDIT AGAINST THE GROSS PREMIUMS TAX FOR ASSESSMENTS PAID BY SELF-INSURERS TO THE GUARANTY FUND, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, pursuant to Rule 39.2, **S.B. 364,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COLUMBUS COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

Representative Daughtry sends forth the Conference Report on Committee Substitute for **S.B. 559,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACCEPTANCE OF RENT BY A HOUSING AUTHORITY IS NOT A WAIVER OF DEFAULT AND TO AUTHORIZE HOUSING AUTHORITIES TO GOVERN ENTRY UPON HOUSING AUTHORITY

PROPERTY BY GUESTS AND VISITORS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 28.

RE-REFERRAL

On motion of Representative Miner, pursuant to Rule 39.2, Committee Substitute for **S.B. 503,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO ISSUE RESTRICTED COMMERCIAL DRIVERS LICENSES TO SEASONAL DRIVERS FOR CERTAIN FARM-RELATED SERVICES INDUSTRIES, is withdrawn from the Committee on Transportation and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Morgan moves, seconded by Representative Easterling, that the House adjourn, subject to the receipt of Senate messages, to reconvene July 28, at 2:00 p.m.

The motion carries.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute for **H.B. 729,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH STANDARDS AND PROCEDURES FOR THE RECOVERY OF PUNITIVE DAMAGES IN CIVIL ACTIONS, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 28.

Senate Committee Substitute No. 2 for **H.B. 545,** A BILL TO BE ENTITLED AN ACT TO BROADEN THE LAW PROVIDING FOR THE ESTABLISHMENT OF CARTWAYS, is returned for concurrence in Senate Committee Substitute No. 2 and placed on the Calendar for July 28.

Senate Committee Substitute for **H.B. 300,** A BILL TO BE ENTITLED AN ACT AUTHORIZING LIMITED PURCHASING OF GOODS AND SERVICES FROM NONCERTIFIED SOURCES, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 28.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 1001,** A BILL TO BE ENTITLED

AN ACT TO EXEMPT FROM PROPERTY TAX NONCOMMERCIAL MOTOR VEHICLES THAT ARE THIRTY YEARS OLD OR OLDER AND ARE MAINTAINED FOR USE IN EXHIBITIONS, CLUB ACTIVITIES, PARADES, AND OTHER PUBLIC INTEREST FUNCTIONS, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 28.

Upon concurrence, the Senate committee substitute changes the title.

The House stands adjourned at 10:55 p.m.

ONE HUNDRED SEVENTH DAY

HOUSE OF REPRESENTATIVES
Friday, July 28, 1995

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brawley.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 27 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (93-4).

Leaves of absence are granted Representatives Barnes, Bowen, Braswell, Culp, Gray, K. Miller, Wainwright, and Weatherly for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 143, AN ACT TO REPEAL THE RESTRICTIONS ON DEALINGS WITH SOUTH AFRICA NOW THAT THE POLICIES OF THAT COUNTRY HAVE CHANGED. (CHAPTER 501)

S.B. 927, AN ACT TO PROVIDE THAT SMALL LANDFILLS FOR THE DISPOSAL OF DEMOLITION DEBRIS ARE EXEMPT FROM THE

PERMITTING REQUIREMENTS GENERALLY APPLICABLE TO LANDFILLS AND TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO GRANT A VARIANCE IN THE GEOGRAPHIC AREA SERVED BY A SANITARY LANDFILL UNDER CERTAIN CIRCUMSTANCES. (CHAPTER 502)

S.B. 459, AN ACT TO PROVIDE THAT CERTAIN BAIL BONDS SHALL BE TREATED AS A CASH DEPOSIT AND TO AMEND THE BAIL BOND FORFEITURE PROCEDURE PROVIDED BY ARTICLE 26 OF CHAPTER 15A OF THE GENERAL STATUTES. (CHAPTER 503)

S.B. 874, AN ACT TO CONFIRM THE WATER RIGHTS OF THE STATE IN THE ROANOKE RIVER BASIN AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES. (CHAPTER 504)

S.B. 973, AN ACT TO CREATE THE NORTH CAROLINA WORKERS' COMPENSATION LOSS COSTS RATING LAW. (CHAPTER 505)

H.B. 353, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED. (CHAPTER 506)

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 26, 1995

Mr. Speaker:

Pursuant to your message received Tuesday, July 25, 1995 that the House of Representatives fails to concur in the Senate Committee Substitute bill No. 2 to **H.B. 637** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY, and requests conferees, the President Pro Tempore appoints:

Senator Cooper, Chairman
Senator Ballantine
Senator Winner

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 27, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill No. 4 to **S.B. 974,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURE WASTE TO BE CERTIFIED AS A WATER POLLUTION CONTROL SYSTEMS OPERATOR, which the House Committee Substitute bill No. 4 proposes to change the title, upon concurrence, to read **S.B. 974** (House Committee Substitute No. 4), A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURAL BY-PRODUCTS FROM SWINE PRODUCTION TO BE CERTIFIED, and requests conferees. The President Pro Tempore appoints:

Senator Albertson, Chairman
Senator Kerr
Senator Soles
Senator Speed
Senator Blackmon

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **S.B. 992,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SWORN AND CERTIFIED JAILERS AND TELECOMMUNICATORS EMPLOYED BY THE MECKLENBURG COUNTY SHERIFF'S DEPARTMENT ARE ELIGIBLE TO RECEIVE THE BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is read the first time and referred to the Committee on Pensions and Retirement.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Morgan moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 200

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 200, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 2 OF CHAPTER 119 OF THE GENERAL STATUTES REGARDING THE REGULATION OF REREFINED OR REPROCESSED OIL, THIRD EDITION, HOUSE COMMITTEE SUBSTITUTE FAVORABLE 6/27/95, submit the following report:

The conferees recommend that the Senate and the House of Representatives adopt this report.

The House and Senate agree to the following amendments to the House Committee Substitute Favorable 6/27/95, and the Senate concurs in the House Committee Substitute as amended:

On page 1, line 2, by deleting "ARTICLE 2" and
substituting "ARTICLE 2A"; and

On page 1, line 4 by rewriting that line to read:
"REPROCESSED OIL, AND TO PROVIDE FOR CIVIL PENALTIES FOR VIOLATIONS OF THE GASOLINE AND OIL INSPECTION LAW, THE MEAT INSPECTION LAW, AND THE ANIMAL WELFARE AND ANIMAL HEALTH LAWS."; and

On page 1, after line 5 and before line 6, by inserting the following:"**PART I. REGULATION OF REREFINED OR REPROCESSED OIL LAWS**"; and

On page 2, line 38 by deleting the present section 4 and substituting the following:

"PART II. GASOLINE AND OIL INSPECTION ACT.

Sec. 4. Article 3 of Chapter 119 of the General Statutes is amended by adding the following new section:

" 119-39.1. Civil Penalties.

The Commissioner of Agriculture may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

PART III. MEAT INSPECTION LAWS.

Sec. 5. G.S. 106-549.35 is amended by adding the following new subsection:

"(c) The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or Article 49B, or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

PART IV. ANIMAL WELFARE ACT.

Sec. 6. Article 3 of Chapter 19A of the General Statutes, Animal Welfare Act, is amended by adding the following new section:

" 19A-40. Civil Penalties.

The Director may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the director shall consider the degree and extent of harm caused by the violation."

PART V. ANIMAL HEALTH LAWS.

Sec. 7. Article 14A of Chapter 106 of the General Statutes, Licensing and Regulation of Rendering Plants and Rendering Operations, is amended by adding the following new section:

"**106-168.16. Civil Penalties.**

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 8. Article 34 of Chapter 106 of the General Statutes, Animal Diseases, is amended by adding the following:

"Part 12. Penalties.

"**106-405.20. Civil Penalties.**

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 9. Article 35 of Chapter 106 of the General Statutes, Public Livestock Markets, is amended by adding the following new section:

"**106-417.1. Civil Penalties.**

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 10. Article 35A of Chapter 106 of the General Statutes, Livestock Prompt Pay Law, is amended by adding the following new section:

"**106-418.7A. Civil Penalties.**

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 11. Article 35B of Chapter 106 of the General Statutes, Livestock Dealer Licensing Act, is amended by adding the following new section:

"**106-418.16. Civil Penalties.**

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 12. Article 49 of Chapter 106 of the General Statutes, Poultry, Hatcheries and Chick Dealers, is amended by adding the following

new section:

"**106-549.1. Civil Penalties.**

The Department of Agriculture may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Department shall consider the degree and extent of harm caused by the violation."

Sec. 13. Article 49E of Chapter 106 of the General Statutes, Disposal of Dead Diseased Poultry, is amended by adding the following new section:

"**106-549.72. Civil Penalties.**

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 14. Article 49F of Chapter 106 of the General Statutes, Biological Residues, is amended by adding the following new section:

"**106-549.89. Civil Penalties.**

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 15. Article 58 of Chapter 106 of the General Statutes, Biologics Laws, is amended by adding the following new section:

"**106-715. Civil Penalties.**

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 16. The organizational headings to the parts of this act, set forth in bolded uppercase, are a convenience to the reader and are for reference only. The headings do not expand, limit, or define the text of this act.

Sec. 17. This act becomes effective October 1, 1995, and shall apply to violations occurring on or after that date."

Date conferees approved report: July 27, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*

S/ Charles W. Albertson
S/ John G. Blackmon
S/ John H. Carrington
S/ Fred M. Hobbs
S/ Richard T. Morgan
S/ John W. Brown
S/ Jerry C. Dockham
S/ Lyons Gray

The Conference Report, which changes the title, is adopted, by electronic vote (103-1), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Daughtry moves the adoption of the following Conference Report.

Committee Substitute for S.B. 559

On motion of Representative Daughtry, the Conference Report is temporarily displaced.

CALENDAR (continued)

Committee Substitute for **H.B. 738,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF TWENTY-THREE MILLION NINE HUNDRED THOUSAND DOLLARS OF COMMUNITY COLLEGE BONDS OR NOTES AND TO APPROPRIATE THE PROCEEDS OF THESE BONDS AND NOTES FOR SPECIFIC COMMUNITY COLLEGE CAPITAL PROJECTS.

On motion of Representative Grady, the House concurs in the Senate amendment, which changes the title, by electronic vote (103-0), and the bill is ordered enrolled.

Senate Committee Substitute No. 2 for **H.B. 545,** A BILL TO BE ENTITLED AN ACT TO BROADEN THE LAW PROVIDING FOR THE ESTABLISHMENT OF CARTWAYS.

On motion of Representative J. Brown, the House concurs in Senate Committee Substitute No. 2, by electronic vote (100-3), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 729,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH STANDARDS AND PROCEDURES FOR THE RECOVERY OF PUNITIVE DAMAGES IN CIVIL ACTIONS.

On motion of Representative Neely, the House concurs in the Senate committee substitute, by electronic vote (72-33), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 300,** A BILL TO BE ENTITLED AN ACT AUTHORIZING LIMITED PURCHASING OF GOODS AND SERVICES FROM NONCERTIFIED SOURCES.

On motion of Representative Warner, the bill is temporarily displaced.

Senate Committee Substitute for **H.B. 1001,** A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PROPERTY TAX NONCOMMERCIAL MOTOR VEHICLES THAT ARE THIRTY YEARS OLD OR OLDER AND ARE MAINTAINED FOR USE IN EXHIBITIONS, CLUB ACTIVITIES, PARADES, AND OTHER PUBLIC INTEREST FUNCTIONS.

Pursuant to Rule 24.1A(c), the requests that Representatives Brawley, Shubert, and Hightower be excused from voting on July 5 are continued.

Representative Allred calls the previous question on the passage of the bill and the call is sustained by electronic vote (63-32).

On motion of Representative Allred, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (59-37), and the bill is ordered enrolled.

S.B. 458, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF GREENVILLE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Black, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner,

Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Barnes, Bowen, Braswell, Culp, Gray, K. Miller, Oldham, Wainwright and Weatherly - 9.

Senate Committee Substitute for **H.B. 300,** A BILL TO BE ENTITLED AN ACT AUTHORIZING LIMITED PURCHASING OF GOODS AND SERVICES FROM NONCERTIFIED SOURCES, which was temporarily displaced, is before the Body.

On motion of Representative Warner, the House does not concur in the Senate committee substitute, by electronic vote (100-2), and conferees are requested.

Representative Baker states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (101-1).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 966,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE COSMETOLOGY EXAMINATION AND LICENSURE FEES, TO ALLOW THE BOARD TO ADMINISTER EXAMINATIONS FOR LICENSURE OF TEACHERS, AND TO CHARGE A FEE FOR THE EXAMINATION OF TEACHERS.

On motion of the Chair, the bill is temporarily displaced.

On motion of the Chair, the House recesses at 3:02 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CONFERENCE REPORT

Representative Holmes sends forth the Conference Report on Senate Committee Substitute for **H.B. 230,** A BILL TO BE ENTITLED AN ACT TO

APPROPRIATE FUNDS TO PROVIDE EXPANSION EXPENDITURES AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

On motion of Representative Holmes, Rule 44(d) is suspended, by electronic vote (84-24), in order that the Conference Report may be placed on the Calendar for immediate consideration.

Representative Holmes moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 230

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 230, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE EXPANSION EXPENDITURES AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, Senate Appropriations Committee Substitute Fifth Edition Engrossed 7/13/95, submit the following report:

The House of Representatives and the Senate agree to the following amendment to the Senate Appropriations Committee Substitute Fifth Edition Engrossed 7/13/95, and the House concurs in the Senate Appropriations Committee Substitute Fifth Edition Engrossed 7/13/95, as amended: Delete the entire Senate Appropriations Committee Substitute Fifth Edition Engrossed 7/13/95, and substitute the attached Proposed Conference Committee Substitute H230-PCCS5175.

The Conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: July 28, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Aaron W. Plyler, Co-chairman	S/ George M. Holmes, Co-chair
S/ Beverly M. Perdue, Co-chairman	S/ Theresa H. Esposito, Co-chair

S/ T. Fountain Odom, Co-chairman
S/ Leslie Winner
S/ R. L. Martin
S/ William Martin
S/ Frank W. Ballance, Jr.
S/ Ed N. Warren
S/ David W. Hoyle
S/ Anthony E. Rand
S/ J. Richard Conder
S/ C. R. Edwards
S/ James S. Forrester
S/ John Kerr
S/ J. K. Sherron
S/ Wilbur P. Gulley
S/ Luther H. Jordan, Jr.

S/ Billy J. Creech, Co-chair
S/ Joe L. Kiser
S/ Carolyn B. Russell
S/ N. Leo Daughtry
S/ Robin Hayes
S/ Charlotte A. Gardner
S/ Joanne W. Bowie
S/ Bobby H. Barbee, Sr.
S/ J. Shawn Lemmond
S/ William M. Ives
S/ W. Frank Mitchell
S/ Gregory J. Thompson
S/ Larry T. Justus
S/ Frances M. Cummings
S/ Robert Grady
S/ Jean R. Preston
S/ James W. Crawford, Jr.
S/ Edd Nye
S/ William Culpepper, III

The Conference Report is adopted, by electronic vote (80-31), and the Senate is so notified by Special Message. (The Conference Report may be found in its entirety in the 1995 Session Laws, Chapter 507.)

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 28, 1995

Mr. Speaker:

On **H.B. 230,** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE EXPANSION EXPENDITURES AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 28, 1995

Mr. Speaker:

On **S.B. 24** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 28, 1995

Mr. Speaker:

On **S.B. 200** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CIVIL PENALTIES FOR VIOLATIONS OF THE GASOLINE AND OIL INSPECTION LAW, THE MEAT INSPECTION LAW, AND THE ANIMAL WELFARE AND ANIMAL HEALTH LAWS, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 200** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 2 OF CHAPTER 119 OF THE GENERAL STATUTES REGARDING THE REGULATION OF REREFINED OR REPROCESSED OIL, it is ordered that a message be sent the House of Representatives with the information that the Senate adopts the report of the conferees, further changing the title to read **S.B. 200** (House

Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 2A OF CHAPTER 119 OF THE GENERAL STATUTES REGARDING THE REGULATION OF REREFINED OR REPROCESSED OIL, AND TO PROVIDE FOR CIVIL PENALTIES FOR VIOLATIONS OF THE GASOLINE AND OIL INSPECTION LAW, THE MEAT INSPECTION LAW, AND THE ANIMAL WELFARE AND ANIMAL HEALTH LAWS, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 28, 1995

Mr. Speaker:

On **S.B. 559** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACCEPTANCE OF RENT BY A HOUSING AUTHORITY IS NOT A WAIVER OF DEFAULT AND TO AUTHORIZE HOUSING AUTHORITIES TO GOVERN ENTRY UPON HOUSING AUTHORITY PROPERTY BY GUESTS AND VISITORS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 28, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives respectfully requesting the return of **H.B. 1001** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PROPERTY TAX NONCOMMERCIAL MOTOR VEHICLES THAT ARE THIRTY YEARS OLD OR OLDER AND ARE MAINTAINED FOR USE IN EXHIBITIONS, CLUB ACTIVITIES, PARADES, AND OTHER PUBLIC INTEREST FUNCTIONS, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 1001** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANTIQUE AUTOMOBILES SHALL BE VALUED AT NO MORE THAN FIVE HUNDRED DOLLARS FOR PROPERTY TAX PURPOSES AND TO ELIMINATE DOUBLE TAXATION OF A MOTOR VEHICLE WHEN THE OWNER MOVES AWAY AND THEN RETURNS TO THE STATE WITHIN ONE YEAR, for further consideration by the Senate.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 28, 1995

Mr. Speaker:

On **S.B. 649,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SWEET POTATO ASSESSMENTS TO BE PAID BY PRODUCERS OF SWEET POTATOES, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 649** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING SWEET POTATOES, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **S.B. 649** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING SWEET POTATOES, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 28, 1995

Mr. Speaker:

On **S.B. 84** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PLACE TIME LIMITS ON OPTIONS IN GROSS AND OTHER INTERESTS IN LAND, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CONFERENCE REPORTS

Representative Wood sends forth the Conference Report on House Committee Substitute for **S.B. 24,** A BILL TO BE ENTITLED AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS. Without objection, the Conference Report is placed on the Supplemental Calendar for today.

Representative J. Brown sends forth the Conference Report on House Committee Substitute for **S.B. 649,** A BILL TO BE ENTITLED AN ACT CONCERNING SWEET POTATOES. Without objection, the Conference Report is placed on the Supplemental Calendar for today.

Representative Neely sends forth the Conference Report on Senate Committee Substitute for **H.B. 637,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY. Without objection, the Conference Report is placed on the Supplemental Calendar for today.

Representative Culpepper sends forth the Conference Report on House Committee Substitute for **S.B. 84,** A BILL TO BE ENTITLED AN ACT TO PLACE TIME LIMITS ON OPTIONS IN GROSS AND OTHER INTERESTS IN LAND, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. Without objection, the Conference Report is placed on the Supplemental Calendar for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittee are presented:

By Representatives Holmes, Esposito, and Creech for the Committee on Appropriations:

H.B. 512, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY COLLEGE STUDENTS ENROLLED IN HEALTH PROGRAMS ARE SUBJECT TO THE SAME IMMUNIZATION REQUIREMENTS AS FOR OTHER COLLEGE AND UNIVERSITY STUDENTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Without objection, the committee substitute bill is placed on the Supplemental Calendar for today. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 898,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO INCREASE THE MEMBERSHIP OF THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Without objection, Committee Substitute Bill No. 2 is placed on the Supplemental Calendar for today. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Berry and Howard for the Committee on Welfare

Reform and Human Resources:

S.B. 846, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADVANCE INSTRUCTION FOR MENTAL HEALTH TREATMENT, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Judiciary II.

On motion of Representative Howard, the bill with pending amendment is temporarily displaced.

RE-REFERRAL

On motion of Representative G. Robinson, pursuant to Rule 39.2 and without objection, Committee Substitute for **S.B. 202,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE COMPOSTING OF POULTRY CARCASSES AND PROVIDE AN INCOME TAX CREDIT FOR POULTRY COMPOSTING FACILITIES, is withdrawn from the Committee on Ways and Means and re-referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES
(continued)

S.B. 846, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADVANCE INSTRUCTION FOR MENTAL HEALTH TREATMENT, which was temporarily displaced, is before the Body.

On motion of Representative Howard, Committee Amendment No. 1 is adopted by electronic vote (106-0).

The bill, as amended, is re-referred to the Committee on Judiciary II.

By Representatives Mitchell and Weatherly for the Permanent Subcommittee on Natural and Economic Resources of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 218, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES SHALL USE A PORTION OF THE FUNDS

APPROPRIATED TO IT FOR 1995-97 FOR A PARTICULAR PURPOSE, with a favorable report.

Without objection, the bill is placed on the Supplemental Calendar for today.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.B. 364, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COLUMBUS COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

Without objection, the bill is placed on the Supplemental Calendar for today.

Committee Substitute for **S.B. 503,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO ISSUE RESTRICTED COMMERCIAL DRIVERS LICENSES TO SEASONAL DRIVERS FOR CERTAIN FARM-RELATED SERVICES INDUSTRIES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Without objection, the House committee substitute bill is placed on the Supplemental Calendar for today. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 710, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NORTH CAROLINA SELF-INSURANCE GUARANTY FUND AND TO ALLOW A CREDIT AGAINST THE GROSS PREMIUMS TAX FOR ASSESSMENTS PAID BY SELF-INSURERS TO THE GUARANTY FUND, with a favorable report.

Without objection, the bill is placed on the Supplemental Calendar for today.

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute for **S.B. 974,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURAL BY-PRODUCTS FROM SWINE PRODUCTION TO BE

CERTIFIED, Representatives J. Brown, Chair; Daughtry, Watson, Mitchell, Mercer, and Nichols.

The Senate is so notified by Special Message.

CALENDAR (continued)

The Conference Report on Committee Substitute for **S.B. 559,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACCEPTANCE OF RENT BY A HOUSING AUTHORITY IS NOT A WAIVER OF DEFAULT AND TO AUTHORIZE HOUSING AUTHORITIES TO GOVERN ENTRY UPON HOUSING AUTHORITY PROPERTY BY GUESTS AND VISITORS, which was temporarily displaced, is before the Body.

On motion of the Chair, the conference report is temporarily displaced.

House Committee Substitute for **S.B. 783,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FORFEITURE OF PROPERTY OWNED BY PERSONS PARTICIPATING IN NUISANCES ON THE PROPERTY INVOLVING THE SALE OR USE OF NARCOTIC DRUGS.

Representative Linney offers Amendment No. 1 which is adopted by electronic vote (106-1).

The bill, as amended, passes its third reading, by electronic vote (89-17), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 966,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE COSMETOLOGY EXAMINATION AND LICENSURE FEES, TO ALLOW THE BOARD TO ADMINISTER EXAMINATIONS FOR LICENSURE OF TEACHERS, AND TO CHARGE A FEE FOR THE EXAMINATION OF TEACHERS, which was temporarily displaced is before the Body.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Barbee, Beall, Berry, Blue, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle,

Easterling, Edwards, Esposito, Fox, Gamble, Gardner, Grady, Hackney, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Owens, Pate, Preston, Pulley, Ramsey, Redwine, Reynolds, Richardson, G. Robinson, Russell, Sharpe, Shaw, Sherrill, Sutton, Tallent, Thompson, Tolson, Warner, G. Wilson, Womble, Wood, and Yongue - 86.

Voting in the negative: Representatives Adams, Baker, Black, Carpenter, Culp, Eddins, Fitch, Hayes, Luebke, Rayfield, J. Robinson, Sexton, and Wilkins - 13.

Excused absences: Representatives Barnes, Bowen, Braswell, Gray, K. Miller, Oldham, Wainwright, and Weatherly - 8.

CONFERENCE REPORT

The Conference Report on Committee Substitute for **S.B. 559,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACCEPTANCE OF RENT BY A HOUSING AUTHORITY IS NOT A WAIVER OF DEFAULT AND TO AUTHORIZE HOUSING AUTHORITIES TO GOVERN ENTRY UPON HOUSING AUTHORITY PROPERTY BY GUESTS AND VISITORS, which was temporarily displaced, is before the Body.

Committee Substitute for S.B. 559

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 559, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACCEPTANCE OF RENT BY A HOUSING AUTHORITY IS NOT A WAIVER OF DEFAULT AND TO AUTHORIZE HOUSING AUTHORITIES TO GOVERN ENTRY UPON HOUSING AUTHORITY PROPERTY BY GUESTS AND VISITORS, Third Edition Engrossed 5/11/95, as amended by House Amendment #'s 1, 2 and 3, submit the following report:

The Senate concurs in House Amendment #2, the House recedes from House Amendment #1 and House Amendment #3, and the Senate and House

agree to the following amendments:

on page 1, lines 10 and 11, by rewriting the lines to read:
"constitute a waiver of that default or failure unless (i) the authority expressly agrees to such waiver in writing, or (ii) within 120 days after obtaining knowledge of the default or failure, the authority fails either to notify the tenant that a violation of the rental agreement has occurred or to exercise one of the authority's remedies for such violation.";

and on page 4, lines 17, 19 and 21,
by deleting "July 1, 1995", and substituting "August 1, 1995".

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: July , 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Fountain Odom	S/ N. Leo Daughtry
S/ John G. Blackmon	S/ Daniel T. Blue, Jr.
S/ Roy A. Cooper, III	S/ Arlene C. Pulley
S/ John H. Carrington	

The Conference Report is adopted, by electronic vote (107-0), and the Senate is so notified by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 402,** A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE DOMESTIC VIOLENCE LAWS.

Representative Clary offers Amendment No. 1 which is adopted by electronic vote (106-0).

The bill, as amended, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2 by

Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 502,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LICENSING AND REGISTRATION OF ASSISTED LIVING FACILITIES AND TO REPLACE THE ARCHAIC TERM "DOMICILIARY" CARE WITH THE TERM "ADULT" CARE.

Representative Clary offers Amendment No. 1 which is adopted by electronic vote (104-1).

The bill, as amended, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 917,** A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE SOIL AND WATER CONSERVATION COMMISSION AND SUPERVISORS OF SOIL AND WATER CONSERVATION DISTRICTS TO PARTICIPATE IN THE AGRICULTURE COST SHARE PROGRAM FOR NONPOINT SOURCE POLLUTION CONTROL AND TO ALLOCATE FUNDS FOR THE AGRICULTURE COST SHARE PROGRAM FOR NONPOINT SOURCE POLLUTION CONTROL TO BE USED FOR CAPITAL EXPENSES ASSOCIATED WITH DEVELOPING AGRICULTURE WASTE MANAGEMENT MEASURES, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

RE-REFERRAL

On motion of Representative Arnold, Committee Substitute for **S.B. 202,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE COMPOSTING OF POULTRY CARCASSES AND PROVIDE AN INCOME TAX CREDIT FOR POULTRY COMPOSTING FACILITIES, is withdrawn

from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House by electronic vote (62-14).

CONFEREE ADDED

The Speaker announces that Representative Linney is added as a conferee on **H.B. 955,** A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL.

The Senate is so notified by Special Message.

CONFEREES APPOINTED

The Speaker announces the following conferees on Senate Committee Substitute for **H.B. 300,** A BILL TO BE ENTITLED AN ACT AUTHORIZING LIMITED PURCHASING OF GOODS AND SERVICES FROM NONCERTIFIED SOURCES, Representatives Edwards, Warner, Russell, G. Robinson, and McAllister.

The Senate is so notified by Special Message.

On motion of the Chair, the House recesses at 6:10 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative McCombs for the Committee on Pensions and Retirement:

Committee Substitute for **S.B. 992,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SWORN AND CERTIFIED JAILERS AND TELECOMMUNICATORS EMPLOYED BY THE MECKLENBURG COUNTY SHERIFF'S DEPARTMENT ARE ELIGIBLE TO RECEIVE THE

BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 29.

By Representative Morgan for the Committee on Rules, Calendar and Operations of the House:

Committee Substitute for **S.B. 202,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE COMPOSTING OF POULTRY CARCASSES AND PROVIDE AN INCOME TAX CREDIT FOR POULTRY COMPOSTING FACILITIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 29.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute for **H.B. 834,** A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR PARENTAL REVIEW OF AND TO PLACE CERTAIN RESTRICTIONS ON ANY INSTRUCTION ON SEXUALLY TRANSMITTED DISEASES OR OUT-OF-WEDLOCK PREGNANCY GIVEN AS PART OF A COMPREHENSIVE SCHOOL HEALTH PROGRAM; (2) TO MAKE CHANGES TO THE APPOINTMENTS TO THE STATE SCHOOL HEALTH ADVISORY COMMITTEE; (3) TO REQUIRE PUBLIC SCHOOLS TO OFFER AN ABSTINENCE UNTIL MARRIAGE PROGRAM; AND (4) TO AUTHORIZE LOCAL SCHOOL BOARDS TO OFFER COMPREHENSIVE SEX EDUCATION WHEN CERTAIN REQUIREMENTS CONCERNING REVIEW AND LOCAL APPROVAL ARE SATISFIED, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 29.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **H.B. 941,** A BILL TO BE ENTITLED AN ACT TO CONFORM THE PROVISIONS OF THE PUBLIC UTILITIES CHAPTER OF THE GENERAL STATUTES TO THE FEDERAL PREEMPTION OF STATE REGULATION OF INTRASTATE TRANSPORTATION OF PROPERTY EXCEPT HOUSEHOLD GOODS

AND TO THE FEDERAL PREEMPTION OF STATE REGULATION OF WIRELESS TELECOMMUNICATIONS CARRIERS, AND TO INCREASE THE APPLICATION FEE, is returned for concurrence in two Senate amendments and placed on the Calendar for July 29.

Upon concurrence, the Senate Amendment No. 2 changes the title.

Committee Substitute for **S.B. 859,** A BILL TO BE ENTITLED AN ACT TO AMEND THE MENTAL HEALTH COMMITMENT LAW TO PROVIDE FOR DIVERSION OF POTENTIAL THOMAS S. CLASS MEMBERS TO APPROPRIATE TREATMENT, is read the first time and referred to the Committee on Appropriations, Subcommittee on Human Resources.

Senate Committee Substitute for **H.B. 168,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF CHILD SUPPORT BY CREATING ADDITIONAL REMEDIES, is returned for concurrence in the Senate committee substitute and placed on the Calendar for July 29.

Senate Committee Substitute for **H.B. 490,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNUAL REPORTS OF BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, TO ESTABLISH FEES FOR EXPEDITED FILINGS, TO PROVIDE THAT NONPROFIT RELIGIOUS CORPORATIONS ARE NOT REQUIRED TO FILE ANNUAL REPORTS, TO EXTEND THE DEADLINE TO ALLOW THE REINSTATEMENT OF DISSOLVED CORPORATIONS, AND TO ALLOW THE SECRETARY OF STATE TO RETAIN FILED DOCUMENTS IN REPRODUCED FORM, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 29.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **S.B. 905,** A BILL TO BE ENTITLED AN ACT TO AFFECT THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

On motion of the Chair, the Conference Report on House Committee

Substitute for **S.B. 24,** A BILL TO BE ENTITLED AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS, is temporarily displaced.

CONFERENCE REPORT

Representative Arnold moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 649

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 649, A BILL TO BE ENTITLED AN ACT TO CONCERNING SWEET POTATOES, Third Edition, submit the following report:

The Senate concurs in the House Committee Substitute, House Committee Substitute Favorable 5/23/95.

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: July 28, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Charles W. Albertson	S/ John W. Brown
S/ Dennis H. Davis	S/ Gene Arnold
S/ Hamilton C. Horton, Jr.	S/ James C. Carpenter
S/ Jeanne H. Lucas	S/ Stanley H. Fox
S/ Robert C. Soles, Jr.	S/ W. Frank Mitchell
S/ James D. Speed	S/ M. Jonathan Robinson
S/ Edward N. Warren	S/ Carolyn B. Russell

The Conference Report, which changes the title, is adopted, by electronic vote (93-1), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Neely moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 637

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 637, AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY, Fourth Edition, Senate Judiciary I/Constitution Committee Substitute No. 2 Adopted 7/11/95, submit the following report:

The House and Senate agree to the following amendments to the Senate Committee Substitute, Senate Judiciary I/Constitution Committee Substitute No. 2 Adopted 7/11/95, and the House concurs in the Senate Committee Substitute as amended:

on page 3, line 29, by deleting the words "that asserts" and substituting the word "for";

and, on page 5, lines 21-22, by rewriting the lines to read:

"(e) Nothing in this section precludes an action against a manufacturer in accordance with the provisions of G.S. 99B-5.".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 28, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Roy A. Cooper, III	S/ Charles B. Neely, Jr.
S/ Patrick J. Ballantine	S/ N. Leo Daughtry
S/ Leslie Winner	S/ Richard T. Morgan
	S/ Billy Richardson

The Conference Report is adopted, by electronic vote (92-9), and the Senate is so notified by Special Message.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 230, AN ACT TO APPROPRIATE FUNDS TO PROVIDE EXPANSION EXPENDITURES AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES. (CHAPTER 507)

H.B. 835, AN ACT TO AMEND THE GENERAL STATUTES RELATING TO CIVIL ACTIONS BROUGHT TO RECOVER FROM THIRD PARTIES STATE FUNDS EXPENDED ON MEDICAL CARE. (CHAPTER 508)

CALENDAR (continued)

CONFERENCE REPORT

The Conference Report on House Committee Substitute for **S.B. 24,** A BILL TO BE ENTITLED AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS, which was temporarily displaced, is before the Body.

Representative Wood moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 24

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 24, A BILL TO BE ENTITLED AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS, House Committee Substitute Favorable 5/29/95, submit the following report:

The Senate and House agree to the following amendments to House Committee Substitute Favorable 5/29/95, and the Senate concurs in the House Committee Substitute as amended:

on page 3, lines 42-44, rewrite the lines to read:

"Sec. 6. The State Board of Education shall consider the recommendations of the North Carolina Education Standards and Accountability Commission in its report that is due by July 1, 1996, and, based on this consideration, the State Board shall review the tests being administered through State and local testing programs, determine the strengths and weaknesses of those programs, and report to the General Assembly by December 1, 1996, on";

and on page 4, line 9, insert at the end of the line the word "and";

and on page 4, lines 10-11, delete the lines;

and on page 4, line 12, delete "(4)" and substitute "(3)";

and on page 4, lines 20-22, delete the lines.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 27, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Leslie Winner	S/ Steve Wood
S/ Jeanne H. Lucas	S/ Carolyn Russell
S/ Dennis Davis	S/ Jean Preston
	S/ James W. Crawford, Jr.

The Conference Report is adopted, by electronic vote (100-0), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Culpepper moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 84

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 84, AN ACT TO PLACE TIME LIMITS ON OPTIONS IN GROSS AND OTHER INTERESTS IN LAND, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, House Committee Substitute Favorable 6/5/95, submit the following report:

That the Senate concurs in the House Committee Substitute for Senate Bill 84 (Third Edition) with the following amendments:

on page 2, line 19, by rewriting that line to read:

"(a) Except as otherwise provided in this section:";

and on page 2, lines 29 and 30, by rewriting those lines to read:

"within 60 years after its creation.

(b) This section does not apply to a possibility of reverter, right of entry, or executory interest held by a charity, a government or governmental agency or subdivision excluded from the Uniform Statutory Rule Against Perpetuities by G. S. 41-18(5) or to an arrangement relating solely to an interest in oil, gas, or minerals.";

and on page 2, line 34 through page 3, line 9, by deleting those lines in their entirety;

and on page 3, lines 10 through 14, by renumbering the remaining sections of the bill accordingly.

The House agrees to the same.

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: July 28, 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Fletcher L. Hartsell, Jr.	S/ William Culpepper
S/ Frank Ballance	S/ Lanier Cansler
S/ Wilbur P. Gulley	S/ Joe Kiser
S/ J. Clark Plexico	S/ Charles Neely

The Conference Report is adopted, by electronic vote (99-1), and the

Senate is so notified by Special Message.

CALENDAR (continued)

S.B. 364, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COLUMBUS COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Barbee, Beall, Berry, Black, Blue, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Cansler, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Edwards, Esposito, Fox, Gamble, Gardner, Grady, Hackney, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, McMahan, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Sutton, Tallent, Tolson, Warner, Watson, Wilkins, Wright, and Yongue - 85.

Voting in the negative: Representatives Aldridge, Allred, Baker, Eddins, Ellis, Hayes, Linney, McComas, J. Robinson, Russell, Thompson, C. Wilson, G. Wilson, and Wood - 14.

Excused absences: Representatives Barnes, Bowen, Braswell, Gray, K. Miller, Oldham, Wainwright, and Weatherly - 8.

House Committee Substitute for **S.B. 503,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO ISSUE RESTRICTED COMMERCIAL DRIVERS LICENSES TO SEASONAL DRIVERS FOR CERTAIN FARM-RELATED SERVICES INDUSTRIES.

On motion of the Chair, the bill is temporarily displaced.

S.B. 710, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NORTH CAROLINA SELF-INSURANCE GUARANTY FUND AND TO ALLOW A CREDIT AGAINST THE GROSS PREMIUMS TAX FOR ASSESSMENTS PAID BY SELF-INSURERS TO THE GUARANTY FUND, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge,

Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: Representatives Creech and Hackney - 2.

Excused absences: Representatives Barnes, Bowen, Braswell, Gray, K. Miller, Oldham, Wainwright and Weatherly - 8.

Committee Substitute for **H.B. 512,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY COLLEGE STUDENTS ENROLLED IN HEALTH PROGRAMS ARE SUBJECT TO THE SAME IMMUNIZATION REQUIREMENTS AS FOR OTHER COLLEGE AND UNIVERSITY STUDENTS, passes its second reading, by electronic vote (101-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute No. 2 for **H.B. 898,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO INCREASE THE MEMBERSHIP OF THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE.

On motion of Representative Morgan, and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 503,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO ISSUE RESTRICTED COMMERCIAL DRIVERS LICENSES TO SEASONAL DRIVERS FOR CERTAIN FARM-RELATED SERVICES INDUSTRIES, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

H.B. 218, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES SHALL USE A PORTION OF THE FUNDS APPROPRIATED TO IT FOR 1995-97 FOR A PARTICULAR PURPOSE, passes its second reading, by electronic vote (92-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 28, 1995

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on **H.B. 637** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

Representative Morgan moves, seconded by Representative Hunt that the House adjourn, subject to the receipt of conference reports and committee reports from the Committee on Judiciary II and Committee on Rules, Calendar, and Operations of the House, to reconvene July 29 at 8:00 a.m.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **S.B. 53,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF PERSONS CONVICTED OF CERTAIN CRIMINAL SEXUAL OFFENSES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Without objection, the House committee substitute bill is placed on the Calendar for July 29. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute No. 2 for **H.B. 898,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO INCREASE THE MEMBERSHIP OF THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, with a favorable report as to Committee Substitute Bill No. 3, as amended, which changes the title, unfavorable as to Committee Substitute Bill No. 2.

Without objection, Committee Substitute for Bill No. 3 is placed on the Calendar for July 29 as a Special Order of Business. Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

Without objection, the House stands adjourned at 7:20 a.m., July 29.

ONE HUNDRED EIGHTH DAY

HOUSE OF REPRESENTATIVES
Saturday, July 29, 1995

The House meets at 8:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Esposito.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barnes, Buchanan, Bowen, Gray, K. Miller, Oldham, Wainwright and Weatherly for today.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 389,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL BUILDING CAPITAL PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, is returned for concurrence in Senate committee substitute and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

SPECIAL ORDER OF BUSINESS

H.B. 898, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES

AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO INCREASE THE MEMBERSHIP OF THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE.

On motion of Representative Morgan, Committee Amendment No. 1 is adopted by electronic vote (84-0).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (85-17).

The bill, as amended, passes its second reading, by electronic vote (98-5), and there being no objection is read a third time.

The bill, as amended, passes its third reading, by electronic vote (89-13), and is ordered engrossed and sent to the Senate by Special Message.

Senate Committee Substitute for **H.B. 834,** A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE FOR PARENTAL REVIEW OF AND TO PLACE CERTAIN RESTRICTIONS ON ANY INSTRUCTION ON SEXUALLY TRANSMITTED DISEASES OR OUT-OF-WEDLOCK PREGNANCY GIVEN AS PART OF A COMPREHENSIVE SCHOOL HEALTH PROGRAM; (2) TO MAKE CHANGES TO THE APPOINTMENTS TO THE STATE SCHOOL HEALTH ADVISORY COMMITTEE; (3) TO REQUIRE PUBLIC SCHOOLS TO OFFER AN ABSTINENCE UNTIL MARRIAGE PROGRAM; AND (4) TO AUTHORIZE LOCAL SCHOOL BOARDS TO OFFER COMPREHENSIVE SEX EDUCATION WHEN CERTAIN REQUIREMENTS CONCERNING REVIEW AND LOCAL APPROVAL ARE SATISFIED.

On motion of Representative Hayes, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (79-12), and the bill is ordered enrolled.

Representative McCrary states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (80-12).

Committee Substitute for **H.B. 941,** A BILL TO BE ENTITLED AN ACT TO CONFORM THE PROVISIONS OF THE PUBLIC UTILITIES CHAPTER OF THE GENERAL STATUTES TO THE FEDERAL PREEMPTION OF STATE REGULATION OF INTRASTATE TRANSPORTATION OF PROPERTY EXCEPT HOUSEHOLD GOODS

AND TO THE FEDERAL PREEMPTION OF STATE REGULATION OF WIRELESS TELECOMMUNICATIONS CARRIERS, AND TO INCREASE THE APPLICATION FEE.

On motion of Representative G. Miller, the House concurs in Senate Amendment No. 1 by electronic vote (96-1).

Representative McComas requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative G. Miller, the House concurs in Senate Amendment No. 2, which changes the title, by electronic vote (101-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 168,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF CHILD SUPPORT BY CREATING ADDITIONAL REMEDIES.

On motion of the Chair, the bill is temporarily displaced.

Senate Committee Substitute for **H.B. 490,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNUAL REPORTS OF BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, TO ESTABLISH FEES FOR EXPEDITED FILINGS, TO PROVIDE THAT NONPROFIT RELIGIOUS CORPORATIONS ARE NOT REQUIRED TO FILE ANNUAL REPORTS, TO EXTEND THE DEADLINE TO ALLOW THE REINSTATEMENT OF DISSOLVED CORPORATIONS, AND TO ALLOW THE SECRETARY OF STATE TO RETAIN FILED DOCUMENTS IN REPRODUCED FORM.

On motion of the Chair, the bill is temporarily displaced.

S.B. 458, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF GREENVILLE, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling,

Eddins, Edwards, Esposito, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives Barnes, Bowen, Buchanan, Gray, K. Miller, Oldham, Wainwright, and Weatherly - 8.

S.B. 364, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COLUMBUS COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Barbee, Beall, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Cansler, Carpenter, Church, Clary, Cocklereece, Culp, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gamble, Gardner, Grady, Hackney, Hensley, Hightower, Hill, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Warner, Watson, Wilkins, Womble, and Yongue - 87.

Voting in the negative: Representatives Allred, Baker, Berry, Capps, Creech, Davis, Edwards, Hayes, Hiatt, McComas, Rayfield, J. Robinson, Russell, Thompson, C. Wilson, G. Wilson - 16.

Excused absences: Representatives Barnes, Bowen, Buchanan, Gray, K. Miller, Oldham, Wainwright, and Weatherly - 8.

Committee Substitute for **S.B. 992,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SWORN AND CERTIFIED JAILERS AND

TELECOMMUNICATORS EMPLOYED BY THE MECKLENBURG COUNTY SHERIFF'S DEPARTMENT ARE ELIGIBLE TO RECEIVE THE BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, passes its second reading, by electronic vote (101-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 202, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE COMPOSTING OF POULTRY CARCASSES AND PROVIDE AN INCOME TAX CREDIT FOR POULTRY COMPOSTING FACILITIES.

Representative Luebke inquires of the Chair if the bill is before the Body pursuant to the Rules. The Chair rules that it is.

Representative Bowie offers Amendment No. 1 which is adopted by electronic vote (97-1).

On motion of Representative Bowie, the vote by which Amendment No. 1 was adopted is reconsidered by electronic vote (94-3).

Representative Bowie withdraws Amendment No. 1.

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (78-23).

The bill passes its second reading by electronic vote (84-18).

Representative Fitch objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 256, A BILL TO BE ENTITLED AN ACT TO REMOVE LANGUAGE REQUIRING AN ATTORNEY'S OPINION AND WRITTEN STATEMENT IN APPEALS BY INDIGENTS OF A JUDGMENT IN A CIVIL ACTION, passes its second reading by electronic vote (99-0).

Representative Brawley objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 873, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND SIMPLIFY THE PUBLIC NOTICE REQUIREMENTS FOR THE REZONING OF PROPERTY, passes its second reading by electronic vote (99-2).

Representative Morgan objects to the third reading. The bill remains on the Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 590, AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO MAKE OTHER CORRECTIONS AND TECHNICAL AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. (CHAPTER 509)

S.B. 693, AN ACT TO MAKE TECHNICAL AMENDMENTS TO IMPROVE THE ADMINISTRATION OF THE PROPERTY TAX ON MOTOR VEHICLES. (CHAPTER 510)

S.B. 908, AN ACT RELATING TO THE POWER OF WATER AND SEWER AUTHORITIES AND CITIES AND COUNTIES TO REQUIRE CONNECTIONS TO WATER AND SEWER SYSTEMS, THE NUMBER OF MEMBERS OF CERTAIN METROPOLITAN SEWERAGE DISTRICTS, AND THE POWERS OF THE STANLY AIRPORT AUTHORITY. (CHAPTER 511)

H.B. 1001, AN ACT TO PROVIDE THAT ANTIQUE AUTOMOBILES SHALL BE VALUED AT NO MORE THAN FIVE HUNDRED DOLLARS FOR PROPERTY TAX PURPOSES AND TO ELIMINATE DOUBLE TAXATION OF A MOTOR VEHICLE WHEN THE OWNER MOVES AWAY AND THEN RETURNS TO THE STATE WITHIN ONE YEAR. (CHAPTER 512)

H.B. 545, AN ACT TO BROADEN THE LAW PROVIDING FOR THE ESTABLISHMENT OF CARTWAYS. (CHAPTER 513)

H.B. 729, AN ACT TO ESTABLISH STANDARDS AND PROCEDURES FOR THE RECOVERY OF PUNITIVE DAMAGES IN CIVIL ACTIONS. (CHAPTER 514)

H.B. 738, AN ACT TO AUTHORIZE THE ISSUANCE OF TWENTY-THREE MILLION NINE HUNDRED THOUSAND DOLLARS OF COMMUNITY COLLEGE BONDS OR NOTES, AND TO APPROPRIATE THE PROCEEDS OF THESE BONDS AND NOTES FOR SPECIFIC COMMUNITY COLLEGE CAPITAL PROJECTS, AND TO PROVIDE FOR REALLOCATION OF THE PROCEEDS OF COMMUNITY COLLEGE BONDS OR NOTES IF MATCHING REQUIREMENTS ARE NOT MET. (CHAPTER 515)

S.B. 200, AN ACT TO AMEND ARTICLE 2A OF CHAPTER 119 OF THE GENERAL STATUTES REGARDING THE REGULATION OF REREFINED OR REPROCESSED OIL, AND TO PROVIDE FOR CIVIL PENALTIES FOR VIOLATIONS OF THE GASOLINE AND OIL INSPECTION LAW, THE MEAT INSPECTION LAW, AND THE ANIMAL WELFARE AND ANIMAL HEALTH LAWS. (CHAPTER 516)

S.B. 345, AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE INSURANCE LAWS. (CHAPTER 517)

S.B. 501, AN ACT TO REQUIRE THE PARENTS OF A DEPENDENT CHILD WHO IS THE PARENT OF A DEPENDENT CHILD TO CONTRIBUTE TO THE SUPPORT OF THEIR GRANDCHILD. (CHAPTER 518)

S.B. 917, AN ACT TO ALLOW MEMBERS OF THE SOIL AND WATER CONSERVATION COMMISSION AND SUPERVISORS OF SOIL AND WATER CONSERVATION DISTRICTS TO PARTICIPATE IN THE AGRICULTURE COST SHARE PROGRAM FOR NONPOINT SOURCE POLLUTION CONTROL AND TO ALLOCATE FUNDS FOR THE AGRICULTURE COST SHARE PROGRAM FOR NONPOINT SOURCE POLLUTION CONTROL TO BE USED FOR CAPITAL EXPENSES ASSOCIATED WITH DEVELOPING AGRICULTURE WASTE MANAGEMENT MEASURES. (CHAPTER 519)

S.B. 559, AN ACT TO PROVIDE THAT ACCEPTANCE OF RENT BY A HOUSING AUTHORITY IS NOT A WAIVER OF DEFAULT AND TO AUTHORIZE HOUSING AUTHORITIES TO GOVERN ENTRY UPON HOUSING AUTHORITY PROPERTY BY GUESTS AND VISITORS. (CHAPTER 520)

S.B. 649, AN ACT CONCERNING SWEET POTATOES. (CHAPTER 521)

H.B. 637, AN ACT TO AMEND THE LAW REGARDING PRODUCTS LIABILITY. (CHAPTER 522)

S.J.R. 1102, A JOINT RESOLUTION HONORING THE MEMORY OF AMY JEAN JACKSON AND COMMENDING THE HEROISM OF ROBERT G. JACKSON, JR. (RESOLUTION 14)

CALENDAR (continued)

House Committee Substitute for **S.B. 53,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF PERSONS CONVICTED OF CERTAIN CRIMINAL SEXUAL OFFENSES.

On motion of the Chair, the bill is temporarily displaced.

S.B. 710, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NORTH CAROLINA SELF-INSURANCE GUARANTY FUND AND TO ALLOW A CREDIT AGAINST THE GROSS PREMIUMS TAX FOR ASSESSMENTS PAID BY SELF-INSURERS TO THE GUARANTY FUND, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Blue, Boyd-McIntyre, Braswell, Brawley, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Culpepper, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 94.

Voting in the negative: None.

Excused absences: Representatives Barnes, Bowen, Buchanan, Gray, K. Miller, Oldham, Wainwright, and Weatherly - 8.

House Committee Substitute for **S.B. 966,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE COSMETOLOGY EXAMINATION AND LICENSURE FEES, TO ALLOW THE BOARD TO ADMINISTER EXAMINATIONS FOR LICENSURE OF TEACHERS, AND TO CHARGE A FEE FOR THE EXAMINATION OF TEACHERS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Barbee, Beall, Berry, Blue, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Cansler, Capps, Church, Clary, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Esposito, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sharpe, Sherrill, Sutton, Tallent, Thompson, Tolson, Warner, Watson, G. Wilson, Womble, and Yongue - 87.

Voting in the negative: Representatives Adams, Baker, Carpenter, Cocklereece, Culp, Eddins, Rayfield, Sexton, Shaw, Wilkins, and Wood - 11.

Excused absences: Representatives Barnes, Bowen, Buchanan, Gray, K. Miller, Oldham, Wainwright, and Weatherly - 8.

WITHDRAWAL OF OBJECTIONS TO THIRD READINGS

Representative Fitch removes his objection to the third reading of Committee Substitute for **S.B. 202,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE COMPOSTING OF POULTRY CARCASSES AND PROVIDE AN INCOME TAX CREDIT FOR POULTRY COMPOSTING FACILITIES.

Representative Bowie offers Amendment No. 2 which is adopted by electronic vote (86-18).

The bill, as amended, passes its third reading, by electronic vote (102-4),

and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Representative Morgan removes his objection to the third reading of House Committee Substitute for **S.B. 873,** A BILL TO BE ENTITLED AN ACT TO CLARIFY AND SIMPLIFY THE PUBLIC NOTICE REQUIREMENTS FOR THE REZONING OF PROPERTY.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Representative Brawley withdraws his objection to the third reading of **S.B. 256,** A BILL TO BE ENTITLED AN ACT TO REMOVE LANGUAGE REQUIRING AN ATTORNEY'S OPINION AND WRITTEN STATEMENT IN APPEALS BY INDIGENTS OF A JUDGMENT IN A CIVIL ACTION.

The bill passes its third reading, by electronic vote (103-1), and is ordered enrolled.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 712, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM AND DURHAM COUNTY TO APPLY TO THE SUPERIOR COURT FOR COMPENSATORY AND PUNITIVE DAMAGES IN CASES WHERE INTENTIONAL DISCRIMINATION IS FOUND IN EMPLOYMENT PRACTICES AND TO AUTHORIZE PARTIES TO ELECT BETWEEN HAVING A HEARING IN SUPERIOR COURT OR BEFORE THE ENFORCEMENT AGENCY, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Senate Committee Substitute for **H.B. 490,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNUAL REPORTS OF BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, TO ESTABLISH FEES FOR EXPEDITED FILINGS, TO PROVIDE THAT NONPROFIT RELIGIOUS CORPORATIONS ARE NOT REQUIRED TO FILE ANNUAL REPORTS, TO EXTEND THE DEADLINE TO ALLOW THE REINSTATEMENT OF

DISSOLVED CORPORATIONS, AND TO ALLOW THE SECRETARY OF STATE TO RETAIN FILED DOCUMENTS IN REPRODUCED FORM, which was temporarily displaced, is before the Body.

On motion of Representative Daughtry, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (84-2), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 168,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF CHILD SUPPORT BY CREATING ADDITIONAL REMEDIES, which was temporarily displaced, is before the Body.

On motion of Representative Gardner, the House concurs in the Senate committee substitute, by electronic vote (102-0), and the bill is ordered enrolled.

CONFERENCE REPORT

Representative Daughtry sends forth the Conference Report on House Committee Substitute No. 4 for **S.B. 974,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURAL BY-PRODUCTS FROM SWINE PRODUCTION TO BE CERTIFIED. Without objection, the Conference Report is placed on the Calendar for immediate consideration.

Representative Daughtry moves the adoption of the following Conference Report.

House Committee Substitute No. 4 for S.B. 974

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 974, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURAL BY-PRODUCTS FROM SWINE PRODUCTION TO BE CERTIFIED, House Committee Substitute #4 Favorable 7/19/95 (Sixth Edition), submit the following report:

The Senate concurs in the House Committee Substitute #4 Favorable 7/19/95 with the following amendment:

Delete the House Committee Substitute #4 Favorable 7/19/95 in its entirety and substitute the attached Proposed Conference Committee Substitute S974-PCCS5662,

And the House of Representatives agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: 28 July 1995.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Charles W. Albertson	S/ John W. Brown
S/ John G. Blackmon	S/ N. Leo Daughtry
S/ John H. Kerr, III	S/ Linwood E. Mercer
S/ R.C. Soles, Jr.	S/ W. Franklin Mitchell
S/ James D. Speed	S/ John M. Nichols
	S/ Cynthia B. Watson

The Conference Report, which changes the title, is adopted, by electronic vote (100-2), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute No. 2 for **S.B. 351,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR WAR VETERANS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Senate Committee Substitute for **H.B. 706,** A BILL TO BE ENTITLED AN ACT AUTHORIZING VARIOUS LOCAL GOVERNMENTS TO LEVY OR INCREASE A ROOM OCCUPANCY TAX SUBJECT TO APPROVAL BY THE VOTERS AND MODIFYING THE METHOD OF APPOINTMENT OF MEMBERS TO THE HAYWOOD COUNTY TOURISM DEVELOPMENT AUTHORITY.

On motion of the Chair and without objection, the Senate committee substitute bill is placed on the Calendar for immediate consideration.

On motion of Representative Nichols, the House concurs in the Senate committee substitute, by electronic vote (85-18), and the bill is ordered enrolled.

Representatives Allred and Adams state that their voting equipment malfunctioned and they request to be recorded as voting "no". These requests are granted. The adjusted vote total is (83-20).

CALENDAR (continued)

House Committee Substitute for **S.B. 53,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF PERSONS CONVICTED OF CERTAIN CRIMINAL SEXUAL OFFENSES.

On motion of the Chair, the bill is temporarily displaced.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.J.R. 1069,** A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1995 GENERAL ASSEMBLY TO MEET IN 1996, LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY.

Without objection, the Senate committee substitute resolution is placed on the Calendar for immediate consideration.

On motion of Representative Morgan, the House concurs in the Senate committee substitute, by electronic vote (101-1), and the resolution is ordered enrolled.

CALENDAR (continued)

House Committee Substitute for **S.B. 53,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF PERSONS CONVICTED OF CERTAIN CRIMINAL SEXUAL OFFENSES, which was temporarily displaced, is before the Body.

Representative Decker offers Amendment No. 1.

Representative Decker calls the previous question on the amendment and the call is sustained by electronic vote (73-28).

On motion of the Chair, the bill with pending amendment is temporarily displaced.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 1069, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1995 GENERAL ASSEMBLY TO MEET IN 1996, LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY. (RESOLUTION 15)

CALENDAR (continued)

House Committee Substitute for **S.B. 53,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF PERSONS CONVICTED OF CERTAIN CRIMINAL SEXUAL OFFENSES, which was temporarily displaced with pending amendment, is before the Body.

Amendment No. 1 fails of adoption by electronic vote (29-74).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (84-19).

The bill passes its second reading by electronic vote (99-3).

Representative Linney objects to the third reading. The bill remains on the Calendar.

Representative Daughtry moves to suspend Rule 41(b) in order that the bill may be read a third time.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (86-16).

The motion to suspend Rule 41(b) carries by electronic vote (86-18).

The bill passes its third reading, by electronic vote (100-4), and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 29, 1995

Mr. Speaker:

On **S.B. 974,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURE WASTE TO BE CERTIFIED AS A WATER POLLUTION CONTROL SYSTEMS OPERATOR, which House Committee Substitute bill No. 4 proposes to change the title, upon concurrence, to read **S.B. 974** (House Committee Substitute No. 4), A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF AGRICULTURAL BY-PRODUCTS FROM SWINE PRODUCTION TO BE CERTIFIED, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees further changing the title to read **S.B. 974** (House Committee Substitute No. 4), A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF ANIMAL WASTE FROM SWINE PRODUCTION TO BE CERTIFIED to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

REMARKS

On motion of Representative Redwine, the following remarks by Representative Boyd-McIntyre are spread upon the Journal.

KALEIDOSCOPE

I. UNIQUENESS OF NAMES

"There are as many ironies and contradictions in our names
As might be found in our political games.
To wit: Now Black is White, and Blue is Black,
And Allred is not all red at all.
Culpepper is not green, or black, or red.
To remember him, you check out his head.

"At times we have been unfair or just out of touch;
So we'll take the time to go and worship with Walter Church.
Others of us will join Arlie Culp,
And to atone, we'll say our mea culpa's.

II. OBSERVATIONS

"Joe Hackney works away at his laptop keyboard.
By now it seems he'd be on information overload.
As a member of this House, he's a consummate Rep.
And a model for new members, who might follow in his steps.

"When the push was on, her bill to douse,
Pulley pulled no punches in the House.
When confronted by the Top Guns,
She resolutely stuck to her guns,
And to her credit, she and the people won.

"Then there were others on bills--good and bad:
Alexander and Brawley on outdoor ads,
Jim Black on fights in the ring,
And Michael Decker on--well, everything!

"It's rumored about, and perhaps is true
That after the fall election when Speaker Bru
Heard these familiar lyrics: 'Twenty-six miles across the sea
Santa Catarina is awaiting for me,' he responded with glee:
'Oh what a powerful vote there'll be; twenty-six freshmen
awaiting for me.'

III. DIVERSIONS

"We in the House deserve a break for real

We've worked hard on too many bills.
We've faced upsets, setups, and setbacks.
And have enjoyed few meaningful comebacks.

"When we leave this place, and it's out of mind.
Our little diversions we each will find:
Some to the beach with friend or spouse
To bask in the sun and forget the State House.
So au revoir to Beall, Bowen, Bowie, and Black.
It's our hope that all will come back.

"Some to hit golf or tennis balls
Who, but Gray, Dub Dickson, Wright, Hayes, Braswell,
Michaux, and all?
Some on a shopping spree to tarry,
Among them Easterling, Earl, Alexander, and Mary.

"Then many of us will try to unwind,
With a little taste of chilled Redwine.
Wilma Sherrill might joint Jerry for a glass of cool sherry.
Russell Capps will take only his special nightcap,
Then abandon himself to a long peaceful nap.

"Dan Blue and Cherie Berry will by chance meet.
And Blueberry dessert will be their treat.
At home Dan will read a classic tale or two,
And relax to Strauss' tune, called 'The Blue Danube'.

"To New York--The Big Apple--some of us will go,
To enjoy Runway modeling and perhaps a talent show;
But the group will have more fun if Tim Tallent shows.
There will be good weather (and that we'll need),
For John Hugh Weatherly will intercede.

"Some to various exotic places soon will fly.
So bon voyage to Brubaker, Barnes, Hayes, Shaw, Clary,
Neely, and Nye.
They'll tour the Virgin Islands, and enjoy nightlife in Paris.
They'll ace the Greek Islands and sites of Ancient Rome,
And before they realize it, it's time to head home.

"All too soon, the month of May is ushered in,
And for many members, its deja vu all over again."

NOTE:

This poem represents an informal piece, in free style, written solely for the pleasure of House members of the NC General Assembly upon adjournment of the 141st Session.

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SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 29, 1995

Mr. Speaker:

It is ordered that a message be sent your Honorable Body respectfully advising that the Senate has concluded the business of the 1995 Session of the 1995 General Assembly and pursuant to **H.J.R. 1069** (Senate Committee Substitute), A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1995 GENERAL ASSEMBLY TO MEET IN 1996, LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY, stands ready to adjourn to reconvene at Noon on May 13, 1996.

Further you are respectfully advised that the Senate stands ready to open the doors of the Senate immediately upon receipt of a message from your Honorable Body that you are ready to open the doors of the House of Representatives to the end that the gavels may fall simultaneously and adjournment declared.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House has concluded its business and stands ready to adjourn the 1995 Regular Session of the General Assembly.

Representative Morgan moves, seconded by Representative Redwine, that the House adjourn, subject to the ratification of bills, to reconvene Monday,

May 13, 1996, at 12:00 Noon. The motion carries by electronic vote (85-3).

The Speaker announces that the hour has arrived for adjournment, as set by **H.J.R. 1069**, of the 1995 Regular Session of the General Assembly, and orders the Sergeant-at-Arms to open the doors.

The doors of the Senate are opened and the President of the Senate is perceived standing ready to let the gavel fall. The Speaker sounds the gavel and declares the House of Representatives adjourned, pursuant to **H.J.R. 1069** and ratification of bills, to reconvene at Noon on May 13, 1996.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 941, AN ACT TO CONFORM THE PROVISIONS OF THE PUBLIC UTILITIES CHAPTER OF THE GENERAL STATUTES TO THE FEDERAL PREEMPTION OF STATE REGULATION OF INTRASTATE TRANSPORTATION OF PROPERTY EXCEPT HOUSEHOLD GOODS AND TO THE FEDERAL PREEMPTION OF STATE REGULATION OF WIRELESS TELECOMMUNICATIONS CARRIERS, TO INCREASE THE APPLICATION FEE AND TO MODIFY THE MOTOR FUEL TAX REFUND PROCEDURES FOR UNDYED DIESEL FUEL USED IN BOATS. (CHAPTER 523)

S.B. 24, AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS. (CHAPTER 524)

S.B. 84, AN ACT TO PLACE TIME LIMITS ON OPTIONS IN GROSS AND OTHER INTERESTS IN LAND, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 525)

H.B. 218, AN ACT TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES SHALL USE A PORTION OF THE FUNDS APPROPRIATED TO IT FOR 1995-97 FOR A PARTICULAR PURPOSE. (CHAPTER 526)

S.B. 402, AN ACT TO STRENGTHEN THE DOMESTIC VIOLENCE LAWS. (CHAPTER 527)

S.B. 783, AN ACT TO PROVIDE FOR THE FORFEITURE OF

PROPERTY OWNED BY PERSONS PARTICIPATING IN NUISANCES ON THE PROPERTY INVOLVING THE SALE OR USE OF NARCOTIC DRUGS. (CHAPTER 528)

S.B. 52, AN ACT TO AMEND THE PROVISIONS OF CHAPTER 146 CONCERNING STATE-OWNED SUBMERGED LANDS. (CHAPTER 529)

S.B. 364, AN ACT TO AUTHORIZE COLUMBUS COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (CHAPTER 530)

S.B. 458, AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF GREENVILLE. (CHAPTER 531)

S.B. 992, AN ACT TO PROVIDE THAT SWORN AND CERTIFIED JAILERS AND TELECOMMUNICATORS EMPLOYED BY THE MECKLENBURG COUNTY SHERIFF'S DEPARTMENT ARE ELIGIBLE TO RECEIVE THE BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM. (CHAPTER 532)

S.B. 710, AN ACT TO INCREASE THE NORTH CAROLINA SELF-INSURANCE GUARANTY FUND AND TO ALLOW A CREDIT AGAINST THE GROSS PREMIUMS TAX FOR ASSESSMENTS PAID BY SELF-INSURERS TO THE GUARANTY FUND. (CHAPTER 533)

H.B. 834, AN ACT (1) TO REQUIRE PUBLIC SCHOOLS TO OFFER AN ABSTINENCE UNTIL MARRIAGE PROGRAM; (2) TO AUTHORIZE LOCAL SCHOOL BOARDS TO OFFER COMPREHENSIVE SEX EDUCATION WHEN CERTAIN REQUIREMENTS CONCERNING REVIEW AND LOCAL APPROVAL ARE SATISFIED; AND (3) TO PROVIDE FOR PARENTAL REVIEW AND APPROVAL OF, AND TO PLACE CERTAIN RESTRICTIONS ON, ANY INSTRUCTION ON SEXUALLY TRANSMITTED DISEASES, OUT-OF-WEDLOCK PREGNANCY, ABSTINENCE UNTIL MARRIAGE, AND COMPREHENSIVE SEX EDUCATION, WHETHER DEVELOPED BY THE STATE OR A LOCAL BOARD OF EDUCATION. (CHAPTER 534)

S.B. 502, AN ACT TO ESTABLISH THE LICENSING AND REGISTRATION OF ASSISTED LIVING FACILITIES AND TO REPLACE THE ARCHAIC TERM "DOMICILIARY" CARE WITH THE TERM "ADULT" CARE. (CHAPTER 535)

S.B. 256, AN ACT TO REMOVE LANGUAGE REQUIRING AN ATTORNEY'S OPINION AND WRITTEN STATEMENT IN APPEALS BY INDIGENTS OF A JUDGMENT IN A CIVIL ACTION. (CHAPTER 536)

S.B. 712, AN ACT TO AUTHORIZE THE CITY OF DURHAM AND DURHAM COUNTY TO APPLY TO THE SUPERIOR COURT FOR COMPENSATORY AND PUNITIVE DAMAGES IN CASES WHERE INTENTIONAL DISCRIMINATION IS FOUND IN EMPLOYMENT PRACTICES AND TO AUTHORIZE PARTIES TO ELECT BETWEEN HAVING A HEARING IN SUPERIOR COURT OR BEFORE THE ENFORCEMENT AGENCY. (CHAPTER 537)

H.B. 168, AN ACT TO IMPROVE THE ENFORCEMENT OF CHILD SUPPORT BY CREATING ADDITIONAL REMEDIES. (CHAPTER 538)

H.B. 490, AN ACT TO ESTABLISH FEES FOR EXPEDITED FILINGS, TO PROVIDE THAT NONPROFIT CORPORATIONS ARE NOT REQUIRED TO FILE ANNUAL REPORTS, TO ALLOW THE SECRETARY OF STATE TO RETAIN FILED DOCUMENTS IN REPRODUCED FORM, TO EXTEND THE DEADLINE TO ALLOW THE REINSTATEMENT OF DISSOLVED CORPORATIONS, AND TO PREVENT THE USE OF DUPLICATE CORPORATE NAMES. (CHAPTER 539)

H.B. 706, AN ACT AUTHORIZING COLUMBUS COUNTY TO LEVY A ROOM OCCUPANCY TAX SUBJECT TO APPROVAL BY THE VOTERS, MODIFYING THE METHOD OF APPOINTMENT OF MEMBERS AND OFFICERS TO CERTAIN LOCAL TOURISM DEVELOPMENT BOARDS, AND MODIFYING THE ALLOCATION OF THE PROCEEDS OF THE NEW HANOVER OCCUPANCY TAX. (CHAPTER 540)

S.B. 966, AN ACT TO INCREASE THE COSMETOLOGY EXAMINATION AND LICENSURE FEES, TO ALLOW THE BOARD TO ADMINISTER EXAMINATIONS FOR LICENSURE OF TEACHERS, AND TO CHARGE A FEE FOR THE EXAMINATION OF TEACHERS. (CHAPTER 541)

H.B. 898, AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS

TO STUDY SPECIFIED ISSUES, TO MAKE VARIOUS STATUTORY CHANGES, AND TO MAKE TECHNICAL CORRECTIONS TO CHAPTER 507 OF THE 1995 SESSION LAWS. (CHAPTER 542)

S.B. 202, AN ACT TO ENCOURAGE THE COMPOSTING OF POULTRY CARCASSES AND PROVIDE AN INCOME TAX CREDIT FOR POULTRY COMPOSTING FACILITIES. (CHAPTER 543)

S.B. 974, AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF ANIMAL WASTE FROM SWINE PRODUCTION TO BE CERTIFIED. (CHAPTER 544)

S.B. 53, AN ACT TO REQUIRE THE REGISTRATION OF PERSONS CONVICTED OF CERTAIN CRIMINAL SEXUAL OFFENSES. (CHAPTER 545)

S.B. 873, AN ACT TO CLARIFY AND SIMPLIFY THE PUBLIC NOTICE REQUIREMENTS FOR THE REZONING OF PROPERTY. (CHAPTER 546)

The House stands adjourned.

Denise G. Weeks
Principal Clerk

ADDENDUM

It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 41(b) states:

No bill shall be read more than once in the same day without the concurrence of two-thirds (2/3) of the members present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

(1) When a member moves that the Rule be suspended, and this motion carries by at least a two-thirds vote of the members present.

(2) When the Chair determines that there is no objection from any member present. This constitutes unanimous consent of those members present that Rule 41(b) be suspended.

In these cases, the bill is read a third time.

Denise G. Weeks
Principal Clerk

APPENDIX

FIRST SESSION 1995

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H. R. 1, A HOUSE RESOLUTION ADOPTING THE INTERIM RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 1995 GENERAL ASSEMBLY.

Be it resolved by the House of Representatives:

Section 1. The interim rules of the Regular Sessions of the House of Representatives of the 1995 General Assembly are:

INTERIM RULES OF THE REGULAR SESSIONS OF THE HOUSE OF REPRESENTATIVES OF THE 1995 GENERAL ASSEMBLY OF NORTH CAROLINA

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I. Order of Business

RULE 1. **Convening Hour, Limitation on Friday, Night, and Sunday Legislative Sessions.**--The House shall convene each legislative day at the hour fixed by the House. In the event the House adjourns on the preceding legislative day without having fixed an hour for reconvening, the House shall convene on the next legislative day at 1:30 p.m. During January and February of 1995, no sessions may be held on Friday. No session shall continue after 10:00 p.m. on Monday nor after 9:00 p.m. on any other days, and the Speaker shall adjourn the House without motion at that point, except that a motion may be made as to the time and day of next convening. No session shall be held on Sunday.

RULE 2. **Opening the Session.** -- At the convening hour on each legislative day, the Speaker shall call the members to order and shall have the session opened with prayer. At the convening hour on the first day of each legislative week the Speaker, or his designee, shall lead the members in the Pledge of Allegiance to the American Flag.

RULE 3. **Quorum.** -- (a) A quorum consists of a majority of the qualified members of the House.

(b) Should the point of a quorum be raised, the doors shall be closed and the Clerk shall call the roll of the House, after which the names of those not responding shall again be called. In the absence of a quorum, fifteen members are authorized to compel the attendance of absent members and may order that absentees for whom no sufficient excuses are made be taken into custody wherever they may be found by special messenger appointed for that purpose.

RULE 4. **Approval of Journal.** -- (a) The Standing Committee on Rules, Calendar, and Operations of the House shall cause the Journal of the House to be examined daily before the hour of convening to determine if the proceedings of the previous day have been correctly recorded.

(b) Immediately following the opening prayer and upon appearance of a quorum,

the Speaker shall call for the Journal report by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House or by a Representative designated by the Chair as to whether the proceedings of the previous day have been correctly recorded. Without objection, the Speaker shall cause the Journal to stand approved.

RULE 5. **Order of Business of the Day. --** After the approval of the Journal of the preceding day, the House shall proceed to business in the following order:

(1) The receiving of petitions, memorials, and papers addressed to the General Assembly or to the House;
(2) Ratification of bills;
(3) Reports of standing committees and permanent subcommittees;
(4) Reports of select committees;
(5) Reports of referral by standing committee Chairs of bills to permanent subcommittees;
(6) First reading and reference to committee of bills and resolutions;
(7) Messages from the Senate;
(8) Concurrence with Senate amendments or Senate committee substitutes;
(9) The unfinished business of the preceding day;
(10) Calendar (each category in accordance with Rule 40):
  (a) Local bills (roll call) third reading
  (b) Local bills (roll call) second reading
  (c) Local bills third reading
  (d) Local bills second reading
  (d1) Public bills and resolutions consent calendar:
    1. (roll call) third reading
    2. (roll call) second reading
    3. third reading
    4. second reading
  (e) Public bills (roll call) third reading
  (f) Public bills (roll call) second reading
  (g) Public bills and resolutions, third reading
  (h) Public bills and resolutions, second reading;
(11) Reading of Notices and Announcements; but messages and motions to elect officers shall always be in order.

II. Conduct of Debate

RULE 6. **Duties and Powers of the Speaker. --** The Speaker shall have general direction of the Hall. The Speaker may name any member to perform the duties of the Chair, but substitution shall not extend beyond one day, except in the case of sickness or by leave of the House.

RULE 7. **Obtaining Floor. --** (a) When any member desires recognition for any purpose, the member shall rise and respectfully address the Speaker. No member shall proceed until recognized by the Speaker for a purpose.

(b) When a member desires to interrupt a member having the floor, the member shall first obtain recognition by the Speaker and permission of the member occupying the floor, and when such recognition and permission have been obtained, he or she may propound a question to the member occupying the floor; but he or she shall not otherwise interrupt the member having the floor, except as provided in subsection (c)

of this rule; and the Speaker shall, without the point of order being raised, enforce this rule.

(c) A member who has obtained the floor may be interrupted only for the following reasons:

1. A request that the member speaking yield for a question,
2. A point of order,
3. A parliamentary inquiry, or
4. A question of privilege.

RULE 8. **Questions of Privilege.** -- Upon recognition by the Speaker for that purpose, any member may speak to a question of privilege for a time not to exceed three minutes. Questions of privilege shall be those affecting, first, the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn. Privilege may not be used to explain a vote or debate a bill. The Speaker shall determine if the question is one of privilege and shall, without the point of order being raised, enforce this rule.

RULE 9. **Points of Order.** -- (a) The Speaker shall decide questions of order and may speak to points of order in preference to other members arising from their seats for that purpose. Any member may appeal from the ruling of the Chair on questions of order; on such appeal no member may speak more than once, unless by leave of the House. A two-thirds (2/3) vote of the members present shall be necessary to sustain any appeal from the ruling of the Chair.

(b) When the Speaker calls a member to order, the member shall be seated except that a member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands. If the member appeals from the ruling of the Chair and the decision by a two-thirds (2/3) vote of the members present be in favor of the member called to order, the member may proceed; if otherwise, the member shall not; and if the case, in the judgment of the House, requires it, the member shall be liable to censure by the House.

RULE 10. **Limitations on Debate.** -- (a) No member shall speak on, debate, or solicit cosponsors for, a bill or resolution at its first reading.

(b) No member shall speak more than twice on the main question, nor longer than 20 minutes for the first speech and 10 minutes for the second speech; nor shall the member speak more than twice upon an amendment or motion to reconsider, commit, appeal, or postpone, and then not longer than 10 minutes for the first speech and five minutes for the second speech.

(c) A member may speak only once and for not more than 20 minutes on the question of the adoption of a minority report.

(d) The House, by consent of a majority of the members present, may suspend the operation of subsections (b) and (c) of this rule during any debate on any particular question before the House.

RULE 11. **Reading of Papers.** -- When there is a call for the reading of the text of a paper which has been presented to the House, and there is objection to such reading, the question shall be determined by a majority vote of the members of the House present. Except for protests permitted by the Constitution, no member may have material printed in the Journal until said material has been presented to the House and

the printing approved by the House, and said material shall not exceed 1,000 words.

RULE 12. **General Decorum.** -- (a) The Speaker shall preserve order and decorum.

(b) Decency of speech shall be observed and disrespect to personalities carefully avoided.

(c) When the Speaker is putting any question, or addressing the House, no person shall speak, stand up, walk out of, or cross the House, nor when a member is speaking, engage in disruptive discourse or pass between the member and the Chair.

(d) Food or beverages shall not be permitted on the floor of the House during the first two hours of the daily session.

(e) The reading of newspapers shall not be permitted on the floor of the House while the House is in session.

(f) Smoking or the consumption of food or beverages shall not be permitted in the galleries at any time.

(g) Special recitals, performances by musicians or other groups shall not be permitted on the floor of the House; and special guests of members of the House shall not be permitted on the floor of the House.

(h) Members shall observe appropriate attire, coat and tie for male members and dignified dress for female members.

(i) The use of cellular telephones shall not be permitted in the House Chamber.

III. Motions

RULE 13. **Motions Generally.** -- (a) Every motion shall be reduced to writing, if the Speaker or any two members request it. No motion relating to a bill shall be in order which does not identify the bill by its number and short title.

(b) When a motion is made, it shall be stated by the Speaker, or, if written, it shall be handed to the Chair and read aloud by the Speaker or Clerk before debate.

(c) After a motion has been stated by the Speaker or read by the Speaker or Clerk, it shall be in the possession of the House; but it may be withdrawn before a decision or amendment, except in case of a motion to reconsider, which motion, when made by a member, shall be in possession of the House and shall not be withdrawn without leave of the House.

RULE 14. **Motions, Order of Precedence.** -- When there are motions before the House, the order of precedence is as follows:

To adjourn
To lay on the table
Previous question
To postpone indefinitely
To reconsider
To postpone to a day certain
To rerefer
To amend an amendment
To amend
To substitute
To pass the bill

No motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or to make a particular amendment, being decided, shall be again allowed at the same stage of the bill or proposition.

RULE 15. **Motion to Adjourn.** -- (a) A motion to adjourn shall be seconded before the motion is put to the vote of the House.

(b) A motion to adjourn shall be decided without debate, and shall always be in order, except when the House is voting or some member is speaking; but a motion to adjourn shall not follow a motion to adjourn until debate or some other business of the House has intervened.

RULE 16. **Motion to Table.** -- (a) A motion to table shall be seconded before the motion is put to the vote of the House and is in order except when a motion to adjourn is before the House.

(b) A motion to table shall be decided without debate.

(c) A motion to table a bill shall constitute a motion to table the bill and all amendments thereto.

(d) When the question before the House is the adoption of an amendment to a bill or resolution, a motion to table the bill is not in order; and a motion to table an amendment applies to the amendment only, and the motion may not expressly or by implication or construction be expanded to include a motion to table the bill also.

(e) When a question has been tabled, it shall not thereafter be considered except on motion to reconsider under Rule 18, or to remove from the table approved by a two-thirds (2/3) vote.

RULE 17. **Motion to Postpone Indefinitely.** -- A motion to postpone indefinitely is in order except when a motion to adjourn or to lay on the table or for the previous question is before the House. However, after one motion to postpone indefinitely has been decided, another motion to postpone indefinitely shall not be allowed at the same stage of the bill or proposition. When a question has been postponed indefinitely, it shall not thereafter be considered except on motion to reconsider under Rule 18, or to place on the favorable calendar approved by a two-thirds (2/3) vote.

RULE 18. **Motion to Reconsider.** -- (a) When a question has been decided, it is in order for any member to move for the reconsideration thereof, on the same or the succeeding legislative day; provided that if the vote by which the motion was originally decided was taken by a recorded vote, only a member of the prevailing side may move for reconsideration.

(b) A motion to reconsider shall be determined by a majority vote, except the following shall require a two-thirds (2/3) vote: a second or subsequent motion to reconsider, and a motion to reconsider:

(1) A vote upon a motion to table,

(2) A motion to postpone indefinitely,

(3) A motion to remove a bill from the unfavorable calendar,

(4) A motion that a bill be read twice on the same day,or

(5) A motion to remove from the table.

(c) A motion to reconsider the vote by which a person has been elected as Speaker or Speaker Pro Tempore shall not be in order. This subsection of this rule cannot be suspended.

RULE 19. **Previous Question.** -- (a) The previous question may be called only by:

(1) The chair of the Committee on Rules, Calendar, and Operation of the House;

(2) The majority leader;

(3) The member submitting the report on the bill or other matter under

consideration, by the member introducing the bill or other matter under consideration; or

(4) The member in charge of the measure, who shall be designated by the Chair of the standing committee or permanent subcommittee reporting the same to the House at the time the bill or other matter under consideration is reported to the House or taken up for consideration.

(b) The previous question shall be as follows: "Shall the main question now be put?" When the call for the previous question has been decided in the affirmative by a majority vote of the House, the "main question" is on the passage of the bill, resolution, or other matter under consideration.

(c) The call for the previous question shall preclude all motions, amendments, and debate, except the motion to adjourn or motion to table.

(d) If the previous question is decided in the negative, the main question remains under debate.

IV. Voting

RULE 20. **Use of Electronic Voting System. --** (a) Votes on the following questions shall be taken on the electronic voting system, and the ayes and noes shall be recorded on the Journal:

(1) The passage as required by Article II, Section 23 of the Constitution of North Carolina, on second and third readings of any bill:

a. Raising money on the credit of the State,

b. Pledging the faith of the State for the payment of a debt,

c. Imposing a State tax, or

d. Authorizing a county, municipality, or other local governmental unit to

1. Raise money on its credit,

2. Pledge its faith for the payment of a debt, or

3. Impose a local tax.

(2) All measures affecting a fee imposed by the State or any subdivision thereof.

(3) All questions on which a call for the ayes and noes under Rule 24(a) and Article II, Section 19 of the Constitution of North Carolina has been sustained.

(4) Both second and third readings of bills proposing amendment of the Constitution of North Carolina or ratifying resolutions amending the Constitution of the United States.

(b) Votes on the following questions shall be taken on the electronic voting system:

(1) Second reading of all public bills, all amendments to public bills offered after second reading, third reading if a public bill was amended after second reading or if the reading occurs on a day or days following the second reading, all conference reports on public bills, all motions to lay public bills on the table, and all motions to postpone public bills indefinitely.

(2) Upon a call for division.

(3) Any other question upon direction of the Speaker or upon motion of any member supported by one-fifth (1/5) of the members present.

(c) When the electronic voting system is used, 15 seconds shall be allowed for

voting on the question before the House, unless the Chair shall direct otherwise. The system shall be set to close automatically when that time has expired. Once the system is locked, the vote shall be recorded and printed.

(d) The voting station at each member's desk in the Chamber shall be used only by the member to which the station is assigned. Under no circumstances shall any other person vote at a member's station. It is a breach of the ethical obligation of a member either to request that another person vote at the requesting member's station, or to vote at another member's station. The Speaker shall enforce this rule without exception.

(e) When the electronic voting system is used, the Speaker shall state the question and shall then state substantially the following: "All in favor vote 'aye'; all opposed vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the member must vote by the electronic voting system within the time allowed for that vote, unless the voting station assigned to a member is malfunctioning. The Speaker shall enforce this rule without exception. After the allotted time for voting has elapsed, the Speaker shall say: "The Clerk will now lock the machine and record the vote." After the machine is locked and the vote recorded, the Speaker shall announce the vote and declare the result.

(f) One copy of the machine printout of the vote record of all votes taken on the electronic system shall be filed in the office of the Principal Clerk, and one copy shall be filed in the Legislative Library where it shall be open to public inspection. A legible copy of the bill, amendment, or motion on which the vote was taken shall be filed with the printout of the vote in the Legislative Library.

(g) When the Speaker ascertains that the electronic voting system is inoperative before a vote is taken or while a vote is being taken on the electronic system, the Speaker shall announce that fact to the House and any partial electronic system voting record shall be voided. In such a case, if the Constitution of North Carolina or the Rules of the House require a call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes and noes shall be taken manually and shall be recorded on the Journal. All roll call votes shall be taken alphabetically. All other votes shall be taken by voice vote. If, after a vote is taken on the electronic system, it is discovered that a malfunction caused an error in the electronic system printout, the Speaker shall direct the Reading Clerk and the Principal Clerk to verify and correct the printout record and so advise the House.

(h) For the purpose of identifying motions on which the vote is taken on the electronic system, the motions are coded as follows:

1. To adjourn
2. To lay on the table
3. Previous question
4. To postpone indefinitely
5. To reconsider
6. To postpone to a day certain
7. To rerefer
8. To amend an amendment
9. To amend
10. To substitute
11. To concur or not concur
12. Miscellaneous

RULE 21. **Voice Votes; Stating Questions.** -- (a) When the electronic voting system is not used, the Speaker shall rise and put a question.

(b) The question shall be put in this form, namely, "Those in favor (as the question may be) will say 'Aye'", and after the affirmative voice has been expressed, "Those opposed will say 'No'".

(c) No statement, explanation, debate, motion, parliamentary inquiry, or point of order shall be allowed once the voice vote has begun. Any point of order or parliamentary inquiry may be raised, however, after the completion of the vote.

RULE 22. **Determining Questions.** -- (a) Unless otherwise provided by the Constitution of North Carolina or by these rules, all questions shall be determined by a simple majority of the members present and voting.

(b) No member may vote unless the member is in the chamber when the question is put. This subsection of this rule cannot be suspended.

RULE 23. **Voting by Division.** -- Any member may call for a division of the members upon the question before the result of the vote has been announced. Upon a call for a division, the Speaker shall cause the number voting in the affirmative and in the negative to be determined. Upon a division and count of the House on any question, no member away from the member's seat shall be counted.

RULE 24. **Roll Call Vote.** -- (a) Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth (l/5) of the members present, the question shall be decided by the ayes and noes upon a roll call vote.

(b) Every member who is in the Hall of the House when the question is put shall vote upon a call of the ayes and noes, unless excused pursuant to Rule 24.1A.

RULE 24.1A. **Excuse From Deliberations and Voting on a Bill.** -- (a) Any member shall upon request be excused from the deliberations and voting on a particular bill, but to do so must make that request after the second reading of the bill and before any motion or vote on the bill or any amendment thereto. If the reason for the request arises at some point later in the proceedings, the request may be made at that time.

(b) The member may make a brief oral statement of the reasons for making that request. The member may send forward to the Principal Clerk, on a form provided by the Clerk, a concise written statement of the reason for the request, and the Clerk shall include this statement in the Journal.

(c) The member so excused shall not debate the bill or any amendment to the bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any motion concerning the bill at that reading, any subsequent reading, or any subsequent consideration of the bill.

(d) A member may request that his or her excuse from deliberations on a particular bill be withdrawn.

RULE 24.1B. **Division of Amendments.** -- Any member may call for an amendment to be divided into two or more amendments to be voted on separately, and the Speaker shall determine whether the amendment admits of such a division.

RULE 25. **Voting by Speaker.** -- In all elections the Speaker may vote. In all other instances the Speaker may vote, or may reserve this right until there is a tie in which event the Speaker may vote; but in no instance may the Speaker vote twice on the same question.

V. Committees

RULE 26. **Standing Committees and Permanent Subcommittees Generally. --**

(a) The Speaker shall appoint a Chair, or Cochairs, of every standing committee and select committee, if any. In the construction of these rules, the word "Chair" as applied to a standing committee extends to and includes a Cochair of the standing committee. The Speaker shall have the exclusive right and authority to establish select committees, but this does not exclude the right of the House by resolution to establish select committees.

(b) All permanent subcommittees of each standing committee shall be appointed by the Speaker and the members appointed, along with the Chair of the standing committee, shall constitute the standing committee of which the permanent subcommittee is a part. The Speaker shall appoint all members of permanent subcommittees at the beginning of the first regular session in a manner to reflect the partisan membership of the House.

(c) The Speaker shall appoint the members of all standing committees having no permanent subcommittees, at the beginning of the first regular session in a manner to reflect the partisan membership of the House.

(d) The first member announced on each permanent subcommittee shall be the Chair. The Speaker may designate one or more Vice-Chairs.

(e) Each Chair of a permanent subcommittee shall be a Vice-Chair of the standing committee of which it is a permanent subcommittee. The Speaker may name other members as Vice-Chairs of the standing committee. The Speaker may name one or more Vice-Chairs for any standing committee not having permanent standing subcommittees.

(f) The Chair of the standing committee shall be a voting member of each permanent subcommittee of the standing committee.

(g) Either the Chair or Acting Chair, designated by the Chair or by the Speaker, and five other members of the standing committee or permanent subcommittee, or a majority of the standing committee or permanent subcommittee, whichever is fewer, shall constitute a quorum of that standing committee or permanent subcommittee. When the Majority Leader or Speaker Pro Tempore is only an ex officio member of the committee or subcommittee under subsection (i) of this rule, they shall not be counted among the number of members for determining whether a majority is present; but if present they shall be counted as one of five members present in determining a quorum under this subsection.

(h) In any joint meeting of the Senate and House committees or subcommittees, the House standing committee or permanent subcommittee reserves the right to vote separately.

(i) The Majority Leader and Speaker Pro Tempore are ex officio members of every standing committee and permanent subcommittee, with the right to vote.

RULE 27. **List of Standing Committees and Permanent Subcommittees. --** The standing committees and permanent subcommittees thereof are:

Committee	Subcommittees
Agriculture	(None)
Appropriations	-Education
	-General Government
	-Human Resources

	-Justice and Public Safety
	-Natural and Economic Resources
	-Transportation
Business and Labor	-Economic Expansion and Growth
	-Labor Relations and Employment
	-Travel and Tourism
Education	-Community Colleges and Universities
	-Pre-School, Elementary and Secondary Education
Ethics	(None)
Finance	(None)
Financial Institutions	(None)
Health and Environment	(None)
Insurance	(None)
Judiciary I	(None)
Judiciary II	(None)
Local and Regional Government I	(None)
Local and Regional Government II	(None)
Pensions and Retirement	(None)
Public Employees	(None)
Public Utilities	(None)
Rules, Calendar, and Operations of the House	(None)
State Government	-Boards and Commissions
	-Military, Veterans, and Indian Affairs
	-State Parks, Facilities, and Property
Transportation	-Airports, Railways, and Waterways
	-Highways
	-Public Transportation
Ways and Means	(None)
Welfare Reform and Human Resources	-Aging
	-Families.

RULE 28. **Standing Committee and Permanent Subcommittee Meetings. --** (a) Standing committees and permanent subcommittees of standing committees shall be furnished with suitable meeting places pursuant to a schedule adopted by the Standing Committee on Rules, Calendar, and Operations of the House. Select committees shall be furnished with suitable meeting places as their needs require by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House.

(b) Subject to the provisions of the subsection (c) of this Rule, standing committees and permanent subcommittees thereof shall permit other members of the General Assembly, the press, and the general public to attend all sessions of said standing committees or permanent subcommittees.

(c) The Chair or other presiding officer shall have general direction of the meeting place of the standing committee or permanent subcommittee and, in case of any

disturbance or disorderly conduct therein, or if the peace, good order, and proper conduct of the legislative business is hindered by any person or persons, the Chair or presiding officer shall have power to exclude from the session any individual or individuals so hindering the legislative business.

(d) Procedure in the standing committees and permanent subcommittee shall be governed by the rules of the House, so far as the same may be applicable to such procedure. Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth (1/5) of the members present, the question shall be decided by the ayes and noes upon a roll call vote. All roll call votes shall be taken alphabetically and shall be subject to Rule 21(c).

(e) No standing committee or permanent subcommittee shall meet on any day when the House shall not convene except by permission of the Speaker or by approval of the House by resolution adopted by a majority vote of the House.

(f) No standing committee or permanent subcommittee shall meet during any session of the House. Standing committees and permanent subcommittees shall meet at their regularly scheduled hour. No permanent subcommittee shall meet at the same time that its standing committee is meeting. Standing committees and permanent subcommittees may meet at other times as authorized by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House in order to assure the availability of the meeting room and that no conflicts will exist with the meetings of other bodies. All standing committee and permanent subcommittee meetings shall adjourn no later than:

(1) 15 minutes preceding a regular session of the House, and

(2) 10 minutes preceding the hour of the next regularly scheduled standing committee or permanent subcommittee meeting.

(g) Any call or notice of a standing committee or permanent subcommittee meeting between legislative sessions shall be mailed to each member of the standing committee or permanent subcommittee at least five days prior to such meeting. If a member of the body so requests in writing to the Chair of the standing committee or permanent subcommittee, the member shall be notified by certified mail of the meetings.

(h) During standing committee and permanent subcommittee meetings, the Chair may exercise the right to vote, or may reserve this right until there is a tie, in which event the Chair may vote, but in no instance may the Chair vote twice on the same question.

RULE 28.1. **Ethics Committee Investigations Into Violations of the Open Meetings Law.** -- (a) On its own motion, or in response to signed and sworn complaint of any individual filed with the Standing Committee on Ethics, the Committee shall inquire into any alleged violation by members of the House of the Open Meetings Law (Article 33C of Chapter 143 of the General Statutes), as the same may be amended in the future.

(b) If, after such preliminary investigation as it may make, the Committee determines to proceed with an inquiry into the conduct of any individual, the Committee shall notify the individual as to the fact of the inquiry and the charges against him and shall schedule one or more hearings on the matter. The individual shall have the right to present evidence, cross-examine witnesses, and be represented by counsel at any hearings.

(c) After the Committee has concluded its inquiries into the alleged violations, the

Committee shall dispose of the matter by taking one of the following actions:

(1) Dismiss the complaint and take no further action.

(2) Issue a letter of reprimand to the legislator, if the legislator unintentionally violated the provisions of the Open Meetings Law.

(3) Issue a letter of reprimand if the violation of the Open Meetings Law was intentional, or if the legislator has previously received a letter of reprimand. The Chair of the Committee on Ethics shall have the public letter of reprimand spread on the pages of the House Journal.

(4) Refer the matter to the House for appropriate action.

RULE 29. **Notice of Standing Committee and Permanent Subcommittee Meetings and Hearings.** -- Public notice of all standing committee and permanent subcommittee meetings shall be given in the House. The Chair of the standing committee or permanent subcommittee shall notify or cause to be notified the sponsor of each bill which is set for hearing or consideration before the standing committee or permanent subcommittee as to the date, time, and place of that meeting.

RULE 29.1. **Public Hearings.** -- (a) Requests for a public hearing shall be made in writing to the Chair of the standing committee and, if applicable, the Chair of the permanent subcommittee to which the bill has been referred. The Chair of the standing committee may schedule a public hearing by the standing committee as a whole after the adjournment of a regular daily House session. The Chair of the permanent subcommittee may schedule a public hearing before the permanent subcommittee at its regularly scheduled hour. Denial of a request made by a House member may be appealed to the Speaker.

Notice shall be given not less than five calendar days prior to public hearings. These notices shall be issued as information for the press, and information shall be posted in the places designated by the Principal Clerk.

(b) Persons desiring to appear and be heard at a public hearing shall submit their request to the Chair of the standing committee or permanent subcommittee. The standing committee or permanent subcommittee Chair may designate one or more members to arrange the order of appearance of interested parties. A brief written statement of testimony may be submitted without oral presentation and shall be incorporated in the minutes of the public hearing.

RULE 29.2. **Minutes to Legislative Library.** -- The Chair of a standing committee or a permanent subcommittee shall insure that written minutes are compiled for each of the body's meetings. The minutes shall indicate the members present and the actions taken at the meeting. Not later than 20 days after the adjournment of each session of the General Assembly, the Chair shall deliver the minutes to the Legislative Library. The Speaker of the House may grant a reasonable extension of time for filing said minutes upon written application of the Chair.

RULE 30. **Standing Committee of the Whole House.** -- (a) A Standing Committee of the Whole House shall not be formed, except by suspension of the rules, if there be objection by any member.

(b) After passage of a motion to form a Standing Committee of the Whole House, the Speaker shall appoint a Chair to preside in the standing committee, and the Speaker shall leave the dais.

(c) The rules of procedure in the House shall be observed in the Standing Committee of the Whole House, so far as they may be applicable, except the rule

limiting the time of speaking and the previous question.

(d) In the Standing Committee of the Whole House, a motion that the standing committee rise shall always be in order, except when a member is speaking, and shall be decided without debate.

(e) When a bill is submitted to the Standing Committee of the Whole House, it shall be read and debated by sections, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the clerk on a separate paper as the same shall be agreed to by the standing committee, and be so reported to the House. After report, the bill shall again be subject to be debated and amended by sections before a question on its passage be taken.

VI. Handling of Bills

RULE 31. **Introduction of Bills and Resolutions. --** (a) All bills and resolutions shall be introduced by submitting same to the Principal Clerk's office on the legislative day prior to the first reading and reference thereof according to the following schedule: by 8:30 p.m. each Monday, by 3:00 p.m. each Tuesday, Wednesday, Thursday, and Friday.

(b) Bills shall not become resolutions provided the Senate has a similar rule. Resolutions shall not become bills. Resolutions are not law but may be used when a law is not necessary for the purpose contained therein. Resolutions shall not be used to appropriate funds for any purpose, but may be used to create study commissions or committees or establish investigative committees, to honor deceased persons, and to adopt House rules and internal affairs. Resolutions cannot amend, repeal, or modify a statute; nor do they have life beyond the term of the session during which they are adopted.

(c) Every bill or resolution shall be read in regular order of business, except upon permission of the Speaker or on the report of a standing committee.

(d) All bills and resolutions shall show in their captions a brief descriptive statement of the true substance of same, which captions may thereafter be amended. Captions of public bills may be amended only by amendment proposed by the standing committee to which the bill was referred. Third reading shall not be had on any bill or resolution on the same day that such caption is amended.

(e) A Substitute Bill shall be covered with the same color jacket as the original bill and shall be prefaced as follows:
"House Substitute for" or "House Committee Substitute for_____".

(f) House Resolutions need not be read more than twice.

(g) All memorializing, celebration, commendation, and commemoration resolutions, except those honoring the memory of deceased persons, shall be excluded from introduction and consideration in the House.

RULE 31.1. **Deadlines on Introduction and Receipt of Limitation on Number of Public Bills Introduced; Single Subject Rule. --** (a) All bills or resolutions recommended by commissions or standing committees authorized or directed by act or resolution of the General Assembly to report to the 1995 Regular Session of the General Assembly, or to report prior to convening of that session, must be introduced not later than the third Wednesday in February (February 15) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced

in the House of Representatives before 3:00 p.m. on the next Wednesday (February 22) shall be treated as if it had been introduced pursuant to this subsection.

(a1) All bills prepared to be introduced for departments, agencies, or institutions of the State must be introduced not later than the first Wednesday in March (March 1) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Wednesday (March 8) shall be treated as if it had been introduced pursuant to this subsection. Bills introduced under this subsection shall be identified as an Agency Bill after its short title.

(a2) All local bills must be introduced not later than the fourth Wednesday in March (March 22) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Wednesday (March 29) shall be treated as if it had been introduced pursuant to this subsection.

(b) All public bills not containing appropriations or tax law changes must be introduced not later than the last Wednesday in March (March 29) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Wednesday (April 5) shall be treated as if it had been introduced pursuant to this subsection.

(c) All public bills containing appropriations and tax law changes, or containing appropriations but not tax law changes, must be introduced not later than the fourth Thursday in April (April 27) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (May 4) shall be treated as if it had been introduced pursuant to this subsection. All public bills containing tax law changes must be introduced not later than the second Thursday in May (May 4) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (May 11) shall be treated as if it had been introduced pursuant to this subsection. If any bill is eligible for introduction on account of the date only under this subsection, and the bill is amended so that qualifying appropriation or tax law change does not remain in the bill, it shall not be eligible for further consideration.

(c1) All resolutions, except those honoring the memory of deceased persons or adjourning the General Assembly must be introduced not later than the first Thursday in May (May 4) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (May 11) shall be treated as if it had been introduced pursuant to this subsection.

(d) In order to be eligible for consideration by the House during the first Regular Session, all Senate bills other than finance or appropriations bills or adjournment resolutions, must be received and read on the floor of the House as a message from the

Senate no later than May 11; provided that a message from the Senate received by the next legislative day stating that a bill has passed its third reading and is being engrossed shall comply with the requirements of this subsection and provided that the Senate has a similar rule.

(d1) No member may introduce more than 10 public bills. For the purpose of the subsection, the introducer is the member who is listed as the first sponsor. A member may assign a portion of this limit to another member by notifying the Principal Clerk in writing on a form prepared by the Principal Clerk. This subsection does not apply to bills or resolutions recommended by commissions or standing committees authorized or directed by act or resolution of the General Assembly to report to the 1995 Regular Session of the General Assembly, or to report prior to convening of that session. This subsection does not apply to joint resolutions or House resolutions.

(d2) Except by motion approved by a majority of members of the House present and voting, no public House bill other than the Current Operations Appropriations Act or the Capital Improvement Appropriations Act may contain more than one subject.

(e) This rule, other than subsection (d2), does not apply to bills establishing districts for Congress or State or local entities. This rule, other than subsection (d2), does not apply to measures ratifying an amendment or amendments to the Constitution of the United States.

RULE 32. **Reference to Standing Committee and to Permanent Subcommittees.** -- (a) Each bill, joint resolution, or House resolution not introduced on the report of a standing committee shall immediately upon its first reading be referred by the Speaker to such standing committee or permanent subcommittee as the Speaker deems appropriate.

(b) The standing committee Chair may refer each bill referred to the standing committee to the permanent subcommittee specifically charged with the subject matter of the bill. A report of that referral shall be made in writing and submitted to the body pursuant to Rule 5(5). Except as provided in Rule 36, the permanent subcommittee to which the bill is referred shall report the bill back to the full standing committee. That subcommittee report shall include one of the following recommendations:

(1) Favorable, without prejudice, or unfavorable as to the original bill with the recommendation that the report be made to the standing committee;

(2) Favorable, without prejudice, or unfavorable as to the original bill, as amended, with the recommendation that the report be made to the standing committee;

(3) Favorable or without prejudice to the proposed committee substitute, and unfavorable to the original bill, with the recommendation that the report be made to the standing committee;

(4) Favorable as to the original bill with the recommendation that the report be made directly to the floor of the House,if approved by the standing committee Chair;

(5) Favorable to the original bill, as amended, with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee Chair;

(6) Favorable to the proposed committee substitute with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee Chair, and unfavorable to the original bill.

Any recommendation of favorable or without prejudice may include a recommendation of re-referral to another standing committee. After a bill is reported to a standing committee by a permanent subcommittee of that standing committee, the standing committee Chair may re-refer the bill to another permanent subcommittee of that standing committee.

Upon recommendation to the standing committee, the bill shall be before that body for further action unless the permanent subcommittee Chair reports the bill directly pursuant to Rule 36.

(c) When a committee substitute is adopted by a permanent subcommittee or a standing committee for a bill which was introduced with no substantive provisions and the committee substitute deletes a majority of the provisions of the original bill and adds provisions that are not germane to the original bill, no further action may be taken by any standing committee or permanent subcommittee upon such bill until the second legislative day thereafter.

RULE 33. **Papers Addressed to the House.** -- Petitions, memorials, and other papers addressed to the House shall be presented by the Speaker. A brief statement of the contents thereof may be orally made by the introducer before reference to a committee, but such papers shall not be debated or decided on the day of their first being read unless the House shall direct otherwise.

RULE 34. **Introduction of Resolutions and Bills, Copies Required.** -- (a) Whenever any resolution or bill is introduced, a duplicate copy thereof shall be attached thereto, and the Principal Clerk shall cause said duplicate copy to be numbered as the original resolution or bill is numbered, and shall cause the same to be available at all times to the member introducing the same.

(b) Numbering of House Bills shall be designated as "H.B.___." (No. following). A Joint Resolution shall be designated as "H.J.R. ___." (No. following). A House Resolution shall be designated as "H.R.___." (No. following).

(c) Whenever any resolution or bill is filed for introduction, it shall be in a House bill jacket containing 30 copies and in the form designated by the Speaker. Any resolution or bill not accompanied by the required number of copies shall be immediately returned to the introducer. The Clerk shall stamp the copies with the number stamped upon the original bill.

RULE 35. **Duplicating and Availability of Copies of Bills.** -- (a) The Legislative Administrative Officer shall cause such bills as are introduced to be duplicated in such numbers as may be specified by the Speaker. The Legislative Administrative Officer shall cause one copy of each resolution and public bill for each member to be delivered to the member's clerk or secretary who shall place it in the appropriate notebook on the member's desk. If a member so requests, a second copy shall be delivered to the member's clerk or secretary who shall place it in the member's office. The remaining copies shall be placed in the Printed Bills Room and made available to the committees to which the bill is referred, to individual members on request, and to the general public.

(b) A public bill is a bill affecting 15 or more counties. A local bill is one affecting fewer than 15 counties. No public bill and, upon objection by a member, no local bill may be considered unless copies of the bill have been made available to the entire membership of the House.

RULE 35.1. **Assessment Reports.** -- Every bill or resolution proposing the

establishment of an occupational or professional licensing plan or a study for the need to establish such a plan shall have attached to the jacket of the original bill or resolution at the time of its consideration on second and third readings by the House or by any standing committee or permanent subcommittee of the House, an assessment report from the Legislative Standing Committee on New Licensing Plans pursuant to Article 18A of Chapter 120 of the General Statutes. The assessment report shall not constitute any part of the expression of legislative intent proposed by the formation of a licensing plan. Upon receipt of the request, the Legislative Standing Committee on New Licensing Plans shall prepare and return the assessment report as soon as possible but not later than 60 days, reserving the right to extend this time to 90 days.

RULE 36. **Report by Standing Committee or Permanent Subcommittee. --** All House bills and resolutions shall be reported from the standing committee or permanent subcommittee to which referred with such recommendations as the standing committee or permanent subcommittee may desire to make except in the case where the principal introducer requests in writing to the Chair of the standing committee or permanent subcommittee that the bill not be considered.

With the written approval of the Chair of the standing committee and with the recommendation of the subcommittee pursuant to Rule 32(4) through (6), the Chair of the permanent subcommittee may report the bill directly to the floor with that recommendation. If a permanent subcommittee recommends reporting a bill to the floor and the Chair of the standing committee fails to give approval, the bill shall be deemed to have been reported to the standing committee with the same recommendation as the subcommittee would have made to the House.

(a) **Favorable Report.** When a standing committee or permanent subcommittee reports a bill with the recommendation that it be passed, the bill shall be placed on the favorable calendar on the day (no earlier than the next legislative day) designated by the Chair of the Committee on Rules, Calendar, and Operations of the House, except that in the absence of the Chair of the Committee on Rules, Calendar, and Operations of the House, the Speaker may take such action, and except that bills on the Public Consent Calendar shall be placed on the favorable calendar as provided by Rule 40. In order to place a bill on the calendar for a legislative day, notice shall be given orally in the House no later than the previous legislative day, or notice shall be given in writing to the Principal Clerk no later than the later of one hour after adjournment or 3:30 p.m. on the previous legislative day. When a committee substitute is adopted and receives a favorable report by the committee or permanent subcommittee, the standing committee or permanent subcommittee Chair shall submit to the standing committee or permanent subcommittee the question of an unfavorable report on the original bill. The standing committee's or permanent subcommittee's action, if any, on the original bill shall be reported at the same time the committee substitute is reported.

(b) **Report Without Prejudice.** When a standing committee reports a bill without prejudice, the bill shall be placed on the favorable calendar in the same manner as provided in subsection (a) of this rule.

(c) **Postponed Indefinitely.** When a standing committee reports a bill with the recommendation that it be postponed indefinitely and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

(d) **Unfavorable Report.** When a standing committee reports a bill with the recommendation that it be not passed and no minority report accompanies it, the bill

shall be placed on the unfavorable calendar.

(e) **Minority Report.** When a bill is reported by a standing committee with a recommendation that it be not passed or that it be postponed indefinitely, but it is accompanied by a minority report signed by at least one-fourth (1/4) of the members of the standing committee who were present and voting when the bill was considered in standing committee, the question before the House shall be: "The adoption of the minority report." If the minority report is adopted by majority vote, the bill shall be placed on the favorable calendar for consideration. If the minority report fails of adoption by a majority vote, the bill shall be placed on the unfavorable calendar.

RULE 36.1. **Fiscal Notes. --** (a) The Chair or Cochair of the Appropriations Committee, of the Finance Committee or of the Rules, Calendar, and Operations of the House Committee, upon the floor of the House may request that a fiscal analysis be made of a bill, resolution, or an amendment to a bill or resolution which is in the possession of the House and that a fiscal note be attached to the measure, when in the opinion of that Chair the fiscal effects of that measure are not apparent from the language of the measure.

(b) The fiscal note shall be filed and attached to the bill or amendment within two legislative days of the request. If it is impossible to prepare a fiscal note within two legislative days, the Director of Fiscal Research shall, in writing, so advise the Speaker, the Principal Clerk, and the member introducing or proposing the measure and shall indicate the time when the fiscal note will be ready.

(c) The fiscal note shall be prepared by the Fiscal Research Division on a form approved by the Rules, Calendar, and Operations of the House Committee as to content and form and signed by the staff member or members preparing it. If no estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate is provided. The fiscal note shall not comment on the merit but may identify technical problems. The Fiscal Research Division shall make the fiscal note available to the membership of the House.

(d) A sponsor of a bill or amendment may deliver a copy of the bill or amendment to the Fiscal Research Division for the preparation of a fiscal note. The sponsor shall attach the fiscal note to the bill when filed or to the amendment when its adoption is moved.

(e) The sponsor of a bill or amendment to which a fiscal note is attached who objects to the estimates and information provided may reduce to writing the objections. These objections shall be appended to the fiscal note attached to the bill or amendment and to the copies of the fiscal note available to the membership.

(f) Subsection (a) of this rule shall not apply to the current operations appropriations bill or the capital improvements appropriations bill. This rule shall not apply to a bill or amendment requiring an actuarial note under these rules.

RULE 36.2. **Actuarial Notes. --** (a) Every bill or resolution proposing any change in the law relative to any:

(1) State, municipal, or other retirement system funded in whole or in part out of public funds; or

(2) Program of hospital, medical, disability or related benefits provided for teachers and State employees, funded in whole or in part by State funds;

shall have attached to it at the time of its consideration by any standing committee or permanent subcommittee a brief explanatory statement or note which shall include a

reliable estimate of the financial and actuarial effect of the proposed change to that retirement or pension system. The actuarial note shall be attached to the jacket of each proposed bill or resolution which is reported favorably by any standing committee or any permanent subcommittee, shall be separate therefrom, and shall be clearly designated as an actuarial note. A bill described in subsection (a)(1) of this Rule shall be referred to the Committee on Pensions and Retirement upon its introduction.

(b) The sponsor of the bill or resolution shall present a copy of the measure, with a request for an actuarial note, to the Fiscal Research Division which shall prepare the actuarial note as promptly as possible but not later than two weeks after the request is made unless an extension of time is agreed to by the sponsor as being necessary in the preparation of the note. Actuarial notes shall be prepared in the order of receipt of request and shall be transmitted to the sponsor of the measure. The actuarial note of the Fiscal Research Division shall be prepared and signed by an actuary.

(c) The sponsor of the bill or resolution shall also present a copy of the measure to the actuary employed by the system or program affected by the measure. Actuarial notes shall be prepared and transmitted to the sponsor of the measure not later than two weeks after the request is received, unless an extension of time is agreed to by the sponsor as being necessary in the preparation of the note. The actuarial note shall be attached to the jacket of the measure. The provisions of this subsection may be waived by the measure's sponsor for a measure affecting local government retirement or pension plans not administered by the State or any local government program of hospital, medical, disability or related benefits for local government employees not administered by the State.

(d) The note shall be factual and shall, if possible, provide a reliable estimate of both the immediate effect and, if determinable, the long-range fiscal and actuarial effect of the measure. If, after careful investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. No comment or opinion shall be included in the actuarial note with regard to the merits of the measure for which the note is prepared. Technical and mechanical defectsin the measure may be noted.

(e) When any permanent subcommittee or standing committee reports a measure to which an actuarial note is attached at the time of permanent subcommittee or standing committee consideration, with any amendment of such nature as would substantially affect the cost to or the revenues of any retirement or pension system, the Chair of the permanent subcommittee or standing committee reporting the measure shall obtain from the Fiscal Research Division an actuarial note of the fiscal and actuarial effect of the proposed amendment. The actuarial note shall be attached to the jacket of the measure. An amendment to any bill or resolution shall not be in order if the amendment affects the costs to or the revenues of a State-administered retirement or pension system, unless the amendment is accompanied by an actuarial note, prepared by the Fiscal Research Division, as to the actuarial effect of the amendment.

(f) The Fiscal Research Division shall make all relevant actuarial notes available to the membership of the House.

RULE 36.4. **Local Legislation Affecting State Highway System.** -- A local bill affecting the State Highway System shall be referred to the Committee on Transportation.

RULE 37. **Removing Bill From Unfavorable Calendar.** -- A bill may be removed

from the unfavorable calendar upon motion carried by a two-thirds (2/3) vote. A motion to remove a bill from the unfavorable calendar is debatable.

RULE 38. **Reports on Appropriation and Revenue Bills.** -- (a) All standing committees, other than the Standing Committee on Appropriations, when favorably reporting any bill or resolution which:

1. Carries an appropriation from the State; or
2. Requires or will require in the future substantial additional State monies from the General Fund or Highway Fund to implement its provisions,

shall indicate same in the report, and said bill or resolution shall be referred to the Standing Committee on Appropriations for a further report before being acted upon by the House.

(b) All standing committees, other than the Standing Committee on Finance, when favorably reporting any bill which in any way or manner raises revenue, reduces revenue, levies a tax, authorizes the levying of a tax, an assessment, or a fee, or authorizes the issue of bonds or notes, whether public, public-local, or private, shall indicate same in the report, and said bill shall be referred to the Standing Committee on Finance for a further report before being acted upon by the House.

(c) **Action on Amendment Before Re-Referral.** If any standing committee recommends adoption of an amendment or committee substitute of a bill which, under the rules of the House must be referred to the Standing Committees on Appropriations or Standing Committee on Finance, the amendment or committee substitute shall be considered and, if adopted, the amendment or substitute engrossed before the bill is re-referred.

RULE 39. **Recall of Bill From Standing Committee; Discharge Petition.** -- (a) When a House bill has been introduced and referred to a standing committee, or when a Senate bill has been referred to a standing committee, if after 10 legislative days the standing committee has failed to report the bill, then the introducer of the bill or some member designated by him may, after three legislative days' public notice given in the House and delivered in writing to the Chair of the standing committee, on motion supported by a majority vote of the members present and voting, recall the same from the standing committee to the floor of the House for consideration and such action thereon as a majority of the members present may direct.

(b) A motion to discharge a committee from consideration of a bill or resolution may be filed with the Principal Clerk if accompanied by a petition signed by a majority of the members of the House asking that the committee be discharged from further consideration of the bill or resolution. No petition may be circulated for signatures until 10 legislative days after the bill has been referred to the committee. No petition may be circulated for signature until notice has been given on the floor of the House that the petition is to be circulated. If such a motion accompanied by a valid petition is filed, the Principal Clerk shall place that motion on the calendar for the next legislative day as a special order of business. If the motion is adopted by the House, then the committee to which the bill or resolution has been referred to is discharged from further consideration of the bill or resolution, and that bill or resolution is placed on the calendar for the next legislative day as a special order of business. If the committee had prior to discharge adopted any amendment or committee substitute for the bill, it shall be in order to offer that amendment or substitute on the floor as if it were a committee amendment or substitute. The Principal Clerk shall provide a form

for discharge petitions.

(c) This rule shall not be temporarily suspended without one day's notice on the motion given in the House and delivered in writing to the Chair of the standing committee, and to sustain that motion two-thirds (2/3) of the members present and voting shall be required.

RULE 39.1. **Recall of Bill From Permanent Subcommittee. --** When a House bill has been referred to a permanent subcommittee, if after 10 legislative days the subcommittee has failed to act thereon or, at any time, with the agreement of the subcommittee chair, the standing committee Chair may re-refer the bill from that permanent subcommittee to another permanent subcommittee of the same standing committee provided the report of the re-referral shall be made pursuant to Rule 32.

RULE 39.2. **Re-Referral of Bills From One Standing Committee to Another Standing Committee. --** Upon consent of the sponsor of the bill, the Speaker, the Chair of the standing committee from whom the bill is to be re-referred, and the Chair of the standing committee to whom the bill is to be re-referred, the Chair may move for a re-referral to another standing committee and the bill shall be re-referred upon vote of the majority present during a regular session of the House.

RULE 40. **Calendars and Schedules of Business. --** (a) The Clerk of the House shall prepare a daily schedule of business, including the Calendar of Bills and Resolutions for consideration and debate that day, in accordance with the Order of Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the order in which they are introduced. All bills and resolutions shall be taken up as they appear in each category (Rule 5(10)) in the order they were placed on the Calendar under Rule 36(a).

(b) When a public bill has received a recommendation for a favorable report, favorable report as amended, or favorable as to committee substitute, and the vote in the committee was unanimous of the members present and voting, the Chair of the Committee (or the Chair of the subcommittee if the bill is being reported directly to the floor) may designate in the committee report that the bill is to go on the consent calendar. The bill shall appear on the consent calendar for the second legislative day after the report is made. The Principal Clerk shall note on the calendar for the next legislative day the bills, including short titles, that will appear on the consent calendar for the following legislative day. A bill shall be removed from the consent calendar if any member of the House makes such request in writing to the Principal Clerk no later than one hour before convening of the House on the day the bill appears on the consent calendar, and in such case the bill shall be placed on the regular calendar for that day. It shall not be in order to offer any amendment to a bill on the consent calendar except committee amendments. The Speaker may recognize the sponsor of the bill for not to exceed two minutes of debate (or a person designated by the Chair of the committee reporting the bill in the case of a Senate bill). The Speaker shall then put the question on the bill. The bill shall appear on the consent calendar for third reading unless a member requests, no later than the adjournment of the daily session when the bill passed second reading, that the bill appear on the regular calendar.

RULE 41. **Reading of Bills. --** (a) Every bill shall receive three readings in the House prior to its passage. The first reading and reference to standing committee of a House bill shall occur on the next legislative day following its introduction. The first reading and reference to standing committee of a Senate bill shall occur on the next

legislative day following its receipt on messages from the Senate. The Speaker shall give notice at each subsequent reading whether it be the second or third reading.

(b) No bill shall be read more than once on the same day without the concurrence of two-thirds (2/3) of the members present and voting; provided, no bill governed by Article II, Section 23 of the North Carolina Constitution or described in Rule 20 (a)(2) herein shall be read twice on one day under any circumstance.

RULE 42. **Effect of a Defeated Bill. --** (a) Subject to the provisions of subsection (b) of this rule, after a bill has:

1. Been tabled,
2. Been postponed indefinitely,
3. Failed to pass on any of its readings, or
4. Been placed on the unfavorable calendar,

the contents of that bill or the principal provisions of its subject matter shall not be considered in any other measure originating in the Senate or originating thereafter in the House. Upon the point of order being raised and sustained by the Chair, that measure shall be laid upon the table, and shall not be taken therefrom except by a two-thirds (2/3) vote of the members present and voting.

(b) No local bill shall be held by the Chair to embody the contents of or the principal provisions of the subject matter of any statewide measure which has been laid on the table, has failed to pass on any of its readings, or has been placed on the unfavorable calendar.

RULE 43. **Amendments. --** No amendment to a measure before the House shall be in order unless the amendment is germane to the measure under consideration. A House amendment deleting a previously adopted House amendment shall not be in order, except that this sentence does not apply to amendments adopted under Rule 38(c).

If the Senate adopts an amendment or committee substitute to a House bill, the House may not refuse to receive the bill on account of lack of germaneness if the Senate has a similar rule.

Only one principal (first degree) amendment shall be pending at any one time. If a subsequent or substitute principal amendment shall be offered, the Speaker shall rule it out of order. However, any member desiring to offer a subsequent or substitute principal amendment in opposition to the pending amendment may inform the House by way of argument against the pending amendment that if it is defeated the member proposes to offer another principal amendment, and the member may then read and explain such proposed amendment.

Perfecting (or second degree) amendments may be offered and considered without limitation as to number, and in the event of multiple perfecting amendments, they shall be voted upon in inverse order.

RULE 43.1. **Engrossment. --** Bills and resolutions, except those making appropriations, which originate in the House and which are amended, shall be engrossed before being sent to the Senate.

RULE 43.2. **House Concurrence in Senate Amendments to House Bills. --** The House shall not concur in a Senate amendment to a bill originating in the House until the next legislative day after the day on which the House receives the Senate amendment.

RULE 43.3. **Committee Substitutes Adopted by the Senate to Bills Originating**

in the House; Procedure for Treatment of Material Amendments Thereto. -- (a) Whenever the Senate has adopted a committee substitute for a bill originating in the House, and has returned the bill to the House for concurrence in that committee substitute, the House may not concur in that committee substitute until the next legislative day following the day on which the House receives that committee substitute.

(b) The Speaker may, and upon motion supported by a majority of the House present and voting shall, refer the bill to an appropriate standing committee for consideration of the committee substitute.

(c) The Speaker shall, in placing the bill on the calendar, rule whether the committee substitute is a material amendment under Article II, Section 23 of the State's Constitution which reads:

"**Revenue bills.--**No law shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State, or to allow the counties, cities, or towns to do so, unless the bill for the purpose shall have been read three several times in each House of the General Assembly and passed three several readings, which readings shall have been on three different days, and shall have been agreed to by each House respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal."

If the committee substitute was referred to standing committee, the standing committee shall:

1. Report the bill with the recommendation either that the House concur or that the House do not concur; and
2. Advise the Speaker as to whether or not that committee substitute is a material amendment under Article II, Section 23 of the State's Constitution.

(d) If the committee substitute for a bill is not a material amendment, the question before the House shall be concurrence.

(e) If the committee substitute for a bill is a material amendment, the receiving of that bill on messages shall constitute first reading and the question before the House shall be concurrence on second reading. If the motion is passed, the question then shall be concurrence on third reading on the next legislative day.

(f) No committee substitute adopted by the Senate for a bill originating in the House may be amended by the House.

RULE 44. **Conference Standing Committees. --** (a) Whenever the House shall decline or refuse to concur in amendments put by the Senate to a bill originating in the House, or shall refuse to concur in a substitute adopted by the Senate for a bill originating in the House or whenever the Senate shall decline or refuse to concur in amendments put by the House to a bill originating in the Senate, or shall refuse to concur in a substitute adopted by the House for a bill originating in the Senate, a conference committee may be appointed by the Speaker upon the Speaker's own motion or shall be appointed upon request by the principal sponsor of the original bill, the Chair of the House standing committee which reported the bill, or by the sponsor of the amendment in which the Senate refused to concur; and the bill under consideration shall thereupon go to and be considered by the joint conferees on the part of the House and Senate. In appointing members to conference committees, the

Speaker shall appoint no less than a majority of members who generally supported the House position as determined by the Speaker.

(b) Only such matters as are in difference between the two houses shall be considered by the conferees, and the conference report shall deal only with such matters. The conference report may be made by a majority of the House members of such conference committee and shall not be amended.

(c) If the conferees fail to agree, new conferees may be appointed. However, if either house refuses to adopt the report of its conferees, the Speaker may appoint new conferees.

(d) No vote shall be taken on adoption of a conference report until the next legislative day following the report.

RULE 44.1. **Transmittal of Bills to Senate.** -- Unless ordered by the Speaker or two-thirds (2/3) vote of the members present and voting, no bill shall be sent from the House on the day of its passage, except on the last day of the session.

VII. Legislative Officers and Employees

RULE 45. **Elected Officers.** -- (a) The House shall elect one of its members Speaker.

(b) The House shall elect one of its members Speaker Pro Tempore who shall perform such duties as the Speaker may assign and shall preside over the House in the absence or incapacity of the Speaker and shall perform all of the duties of the Speaker until such time the Speaker may assume the Chair.

(c) The House shall elect a Principal Clerk, who shall continue in office until another is elected. The Speaker shall appoint a Reading Clerk and a Sergeant-at-Arms, who shall serve at the Speaker's pleasure. The Principal Clerk, Reading Clerk, and Sergeant-at-Arms shall have and perform duties and responsibilities, not inconsistent with these Rules, as the Speaker may assign. In addition, the Sergeant-at-Arms may assign the Reading Clerk additional duties, to be performed while the House is not in its daily session.

RULE 46. **Assistants to Principal Clerk and Sergeant-at-Arms.** -- The Principal Clerk and the Sergeant-at-Arms may appoint, with the approval of the Speaker, such assistants as may be necessary to the efficient discharge of the duties of their respective offices.

RULE 47. **Speaker's Clerk, Chaplain, and Pages.** -- (a) The Speaker may appoint one or more clerks to the Speaker, a Chaplain of the House, and pages to wait upon the sessions of the House.

(b) When the House is not in session, the pages shall be under the supervision of the Supervisor of Pages.

(c) No member may have more than 10 persons designated as honorary pages.

RULE 48. **Clerks and Secretaries.** -- (a) Each standing committee and permanent subcommittee shall have a clerk. The clerk to a standing committee or permanent subcommittee shall serve as secretary to the Chair of the standing committee or permanent subcommittee.

(b) Each member shall be assigned a secretary, unless the member has a standing committee or permanent subcommittee clerk to serve as secretary.

(c) The selection and retention of clerks and secretaries shall be the sole prerogative of the individual member or members. Such clerks and secretaries shall file initial applications for employment with the Principal Clerk and shall receive compensation

as prescribed by the Legislative Services Commission. The employment period of clerks and secretaries shall commence not earlier than the convening date of the General Assembly and shall terminate not later than the final adjournment or recess of the General Assembly unless employment for an extended period is approved by the Speaker. The clerks and secretaries shall adhere to such uniform rules and regulations not inconsistent with these Rules regarding hours and other conditions of employment as the Legislative Services Commission shall fix by appropriate regulations.

RULE 49. **Compensation of Clerks and Secretaries.** -- No clerk, laborer, or other person employed or appointed under Rules 47, 48, and 49 hereof shall receive during such employment, appointment, or service, any compensation from any department of the State government, and there shall not be voted, paid, or awarded any additional pay, bonus, or gratuity to any of them; but they shall receive only the pay now provided by law for such duties and services.

VIII. Privileges of the Hall

RULE 50. **Admittance to Floor.** -- No person except members, officers, and employees of the General Assembly and former members of the General Assembly who are not registered under the provisions of Article 9 of Chapter 120 of the General Statutes of North Carolina shall be allowed on the floor of the House during its session, unless permitted by the Speaker or otherwise provided by law. Employees of the General Assembly shall wear identification tags, approved by the Legislative Administrative Officer, when on the floor of the House.

RULE 51. **Admittance of Press.** -- Reporters wishing to take down debates may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect this object, as shall not interfere with the convenience of the House. Reporters admitted to the floor of the House shall observe the same requirements of attire for members contained in Rule 12(h).

RULE 52. **Extending Courtesies.** -- Courtesies of the floor, galleries, or lobby shall be extended at the discretion of the Speaker and only by the Speaker. Requests by members to extend these courtesies shall be typewritten and delivered to the Speaker. No member shall orally ask the Speaker to extend these courtesies during the daily session.

RULE 53. **Order in Galleries and Lobby.** -- In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker or other presiding officer is empowered to order the same to be cleared.

IX. General Rules

RULE 54. **Attendance of Members.** -- No member or officer of the House shall absent himself from the service of the House without leave, unless from sickness or disability.

RULE 55. **Documents to Be Signed by the Speaker.** -- All acts, addresses, and resolutions and all warrants and subpoenas issued by order of the House shall be signed by the Speaker or other presiding officer.

RULE 56. **Printing or Reproducing Materials.** -- There shall be no printing or reproducing of paper(s) that are not legislative in essence except upon approval of the Speaker.

RULE 57. **Placement or Circulation of Materials.** -- Persons other than members of the House shall not place or cause to be placed any materials on members' desks in the House Chamber without obtaining approval of the Speaker. Any material placed

on members' desks in the House Chamber, or circulated to House members anywhere in the Legislative Building or the Legislative Office Building, shall bear the name of the originator.

RULE 58. **Rules, Rescission, and Alteration.** -- (a) These rules shall remain in effect until adoption of the permanent rules by House simple resolution passed by a majority vote of the members present and voting.

(b) Except as otherwise provided herein, the House upon two-thirds (2/3) vote of the members present and voting may temporarily suspend any rule.

RULE 59. **Cosponsorship of Bills and Resolutions.** -- (a) Any member wishing to cosponsor a bill or resolution which has been introduced may do so by appearing in the office of the Principal Clerk for such purpose within one-half hour following the adjournment of the session during which such bill or resolution was first read and referred.

(b) No member shall permit anyone, other than that member's secretary or clerk, or another member, to have possession of and solicit for bill or resolution cosponsorship, the jacket of a bill or resolution.

RULE 60. **Correcting of Typographical Errors.** -- The Legislative Administrative Officer may correct typographical errors appearing in House bills or resolutions provided that such corrections are made before ratification and do not conflict with any actions or rules of the Senate and provided further that such correction be approved by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, the Speaker, or other presiding officer.

RULE 61. **Assignment of Seats.** -- After initial assignment of seats, a member shall continue to occupy the seat to which initially assigned for the entire biennial session. In event of vacancy, that member's successor will occupy the seat of the member replaced for the remainder of the biennial session.

RULE 61.1. **Office Assignments.** -- The Chair of the Standing Committee on Rules, Calendar, and Operations of the House shall assign to each member an office space. When available, Chairs of standing committees and permanent subcommittees shall be assigned an office adjacent to the room in which the standing committee or permanent subcommittee generally meets if the Chair so desires. The Speaker shall be assigned an office of his or her choice.

RULE 61.2. **Convening and Assigning Seats in the New House.** -- (a) The Principal Clerk of the previous House of Representatives shall convene the House of Representatives at 12:00 noon on the date established by law for the convening of each regular session, and preside over the body until the members elect a Speaker. In the case of a vacancy, inability, or refusal to so serve, the duty shall devolve upon the sergeant-at-arms of the prior House, and in the case of a vacancy in that office, or inability or refusal to so serve, the duty shall devolve upon the reading clerk of the prior House.

(b) It shall be the duty of the Chair of the Standing Committee on Rules, Calendar, and Operations of the House of the prior House to assign seats to the members of the House of Representatives in its Chamber. In the case of a death of the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, or that Chair's inability or refusal to serve, the Speaker of the prior House of Representatives shall appoint a person to assign seats to members of the House of Representatives in its Chamber. In the event that the party that had a majority of members in the prior House

will no longer have a majority of members of the new House, then the duty assigned in this subsection to the chair of the committee of the prior House shall instead be the duty of the person nominated as Speaker by the majority party caucus for the new House, or some member-elect designated by the Speaker nominee. In the event no party will have a majority, then the duty assigned in this subsection to the chair of the committee of the prior House shall instead be the joint duty of one person chosen each by the caucuses of the two parties having the greatest numbers of members.

RULE 62. **Matters Not Covered in These Rules. --** Except as herein set out the rules of Mason's Manual of Legislative Procedure shall govern the operation of the House.

Sec. 2. This resolution is effective upon adoption.

H. R. 43, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 1995 GENERAL ASSEMBLY.

Be it resolved by the House of Representatives:

Section 1. The permanent rules of the Regular Sessions of the House of Representatives of the 1995 General Assembly are:

RULES OF THE REGULAR SESSIONS OF THE
HOUSE OF REPRESENTATIVES OF THE
1995 GENERAL ASSEMBLY OF NORTH CAROLINA

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I. Order of Business

RULE 1. **Convening Hour, Limitation on Friday, Night, and Sunday Legislative Sessions. --** The House shall convene each legislative day at the hour fixed by the House. In the event the House adjourns on the preceding legislative day without having fixed an hour for reconvening, the House shall convene on the next legislative day at 1:30 p.m. During January and February of 1995, no sessions may be held on Friday. No session shall continue after 10:00 p.m. on Monday nor after 9:00 p.m. on any other days, and the Speaker shall adjourn the House without motion at that point, except that a motion may be made as to the time and day of next convening. No session shall be held on Sunday.

RULE 2. **Opening the Session. --** At the convening hour on each legislative day,

the Speaker shall call the members to order and shall have the session opened with prayer. At the convening hour on the first day of each legislative week the Speaker, or his designee, shall lead the members in the Pledge of Allegiance to the American Flag.

RULE 3. **Quorum. --** (a) A quorum consists of a majority of the qualified members of the House.

(b) Should the point of a quorum be raised, the doors shall be closed and the Clerk shall call the roll of the House, after which the names of those not responding shall again be called. In the absence of a quorum, fifteen members are authorized to compel the attendance of absent members and may order that absentees for whom no sufficient excuses are made be taken into custody wherever they may be found by special messenger appointed for that purpose.

RULE 4. **Approval of Journal. --** (a) The Standing Committee on Rules, Calendar, and Operations of the House shall cause the Journal of the House to be examined daily before the hour of convening to determine if the proceedings of the previous day have been correctly recorded.

(b) Immediately following the opening prayer and upon appearance of a quorum, the Speaker shall call for the Journal report by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House or by a Representative designated by the Chair as to whether the proceedings of the previous day have been correctly recorded. Without objection, the Speaker shall cause the Journal to stand approved.

RULE 5. **Order of Business of the Day. --** After the approval of the Journal of the preceding day, the House shall proceed to business in the following order:

(1) The receiving of petitions, memorials, and papers addressed to the General Assembly or to the House;
(2) Ratification of bills;
(3) Reports of standing committees and permanent subcommittees;
(4) Reports of select committees;
(5) Reports of referral by standing committee Chairs of bills to permanent subcommittees;
(6) First reading and reference to committee of bills and resolutions;
(7) Messages from the Senate;
(8) Concurrence with Senate amendments or Senate committee substitutes;
(9) The unfinished business of the preceding day;
(10) Calendar (each category in accordance with Rule 40):
    (a) Local bills (roll call) third reading
    (b) Local bills (roll call) second reading
    (c) Local bills third reading
    (d) Local bills second reading
    (d1) Public bills and resolutions consent calendar:
        1. (roll call) third reading
        2. (roll call) second reading
        3. third reading
        4. second reading
    (e) Public bills (roll call) third reading
    (f) Public bills (roll call) second reading
    (g) Public bills and resolutions, third reading

(h) Public bills and resolutions, second reading;

(11) Reading of Notices and Announcements; but messages and motions to elect officers shall always be in order.

II. Conduct of Debate

RULE 6. **Duties and Powers of the Speaker.** -- The Speaker shall have general direction of the Hall. The Speaker may name any member to perform the duties of the Chair, but substitution shall not extend beyond one day, except in the case of sickness or by leave of the House.

RULE 7. **Obtaining Floor.** -- (a) When any member desires recognition for any purpose, the member shall rise and respectfully address the Speaker. No member shall proceed until recognized by the Speaker for a purpose.

(b) When a member desires to interrupt a member having the floor, the member shall first obtain recognition by the Speaker and permission of the member occupying the floor, and when such recognition and permission have been obtained, he or she may propound a question to the member occupying the floor; but he or she shall not otherwise interrupt the member having the floor, except as provided in subsection (c) of this rule; and the Speaker shall, without the point of order being raised, enforce this rule.

(c) A member who has obtained the floor may be interrupted only for the following reasons:

1. A request that the member speaking yield for a question,
2. A point of order,
3. A parliamentary inquiry, or
4. A question of privilege.

RULE 8. **Questions of Privilege.** -- Upon recognition by the Speaker for that purpose, any member may speak to a question of privilege for a time not to exceed three minutes. Questions of privilege shall be those affecting, first, the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn. Privilege may not be used to explain a vote or debate a bill. The Speaker shall determine if the question is one of privilege and shall, without the point of order being raised, enforce this rule.

RULE 9. **Points of Order.** -- (a) The Speaker shall decide questions of order and may speak to points of order in preference to other members arising from their seats for that purpose. Any member may appeal from the ruling of the Chair on questions of order; on such appeal no member may speak more than once, unless by leave of the House. A two-thirds (2/3) vote of the members present shall be necessary to sustain any appeal from the ruling of the Chair.

(b) When the Speaker calls a member to order, the member shall be seated except that a member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands. If the member appeals from the ruling of the Chair and the decision by a two-thirds (2/3) vote of the members present be in favor of the member called to order, the member may proceed; if otherwise, the member shall not; and if the case, in the judgment of the House, requires it, the member shall be liable to censure by the House.

RULE 10. **Limitations on Debate.** -- (a) No member shall speak on, debate, or

solicit cosponsors for, a bill or resolution at its first reading.

(b) No member shall speak more than twice on the main question, nor longer than 20 minutes for the first speech and 10 minutes for the second speech; nor shall the member speak more than twice upon an amendment or motion to reconsider, commit, appeal, or postpone, and then not longer than 10 minutes for the first speech and five minutes for the second speech.

(c) A member may speak only once and for not more than 20 minutes on the question of the adoption of a minority report.

(d) The House, by consent of a majority of the members present, may suspend the operation of subsections (b) and (c) of this rule during any debate on any particular question before the House.

RULE 11. **Reading of Papers. --** When there is a call for the reading of the text of a paper which has been presented to the House, and there is objection to such reading, the question shall be determined by a majority vote of the members of the House present. Except for protests permitted by the Constitution, no member may have material printed in the Journal until said material has been presented to the House and the printing approved by the House, and said material shall not exceed 1,000 words.

RULE 12. **General Decorum. --** (a) The Speaker shall preserve order and decorum.

(b) Decency of speech shall be observed and disrespect to personalities carefully avoided.

(c) When the Speaker is putting any question, or addressing the House, no person shall speak, stand up, walk out of, or cross the House, nor when a member is speaking, engage in disruptive discourse or pass between the member and the Chair.

(d) Food or beverages shall not be permitted on the floor of the House during the first two hours of the daily session.

(e) The reading of newspapers shall not be permitted on the floor of the House while the House is in session.

(f) Smoking or the consumption of food or beverages shall not be permitted in the galleries at any time.

(g) Special recitals, performances by musicians or other groups shall not be permitted on the floor of the House; and special guests of members of the House shall not be permitted on the floor of the House.

(h) Members shall observe appropriate attire, coat and tie for male members and dignified dress for female members.

(i) The use of cellular telephones shall not be permitted in the House Chamber.

III. Motions

RULE 13. **Motions Generally. --** (a) Every motion shall be reduced to writing, if the Speaker or any two members request it. No motion relating to a bill shall be in order which does not identify the bill by its number and short title.

(b) When a motion is made, it shall be stated by the Speaker, or, if written, it shall be handed to the Chair and read aloud by the Speaker or Clerk before debate.

(c) After a motion has been stated by the Speaker or read by the Speaker or Clerk, it shall be in the possession of the House; but it may be withdrawn before a decision or amendment, except in case of a motion to reconsider, which motion, when made by a member, shall be in possession of the House and shall not be withdrawn without leave of the House.

RULE 14. **Motions, Order of Precedence. --** When there are motions before the

House, the order of precedence is as follows:

To adjourn
To lay on the table
Previous question
To postpone indefinitely
To reconsider
To postpone to a day certain
To rerefer
To amend an amendment
To amend
To substitute
To pass the bill

No motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or to make a particular amendment, being decided, shall be again allowed at the same stage of the bill or proposition.

RULE 15. **Motion to Adjourn. --** (a) A motion to adjourn shall be seconded before the motion is put to the vote of the House.

(b) A motion to adjourn shall be decided without debate, and shall always be in order, except when the House is voting or some member is speaking; but a motion to adjourn shall not follow a motion to adjourn until debate or some other business of the House has intervened.

RULE 16. **Motion to Table. --** (a) A motion to table shall be seconded before the motion is put to the vote of the House and is in order except when a motion to adjourn is before the House.

(b) A motion to table shall be decided without debate.

(c) A motion to table a bill shall constitute a motion to table the bill and all amendments thereto.

(d) When the question before the House is the adoption of an amendment to a bill or resolution, a motion to table the bill is not in order; and a motion to table an amendment applies to the amendment only, and the motion may not expressly or by implication or construction be expanded to include a motion to table the bill also.

(e) When a question has been tabled, it shall not thereafter be considered except on motion to reconsider under Rule 18, or to remove from the table approved by two-thirds (2/3) vote.

RULE 17. **Motion to Postpone Indefinitely. --** A motion to postpone indefinitely is in order except when a motion to adjourn or to lay on the table or for the previous question is before the House. However, after one motion to postpone indefinitely has been decided, another motion to postpone indefinitely shall not be allowed at the same stage of the bill or proposition. When a question has been postponed indefinitely, it shall not thereafter be considered except on motion to reconsider under Rule 18, or to place on the favorable calendar approved by a two-thirds (2/3) vote.

RULE 18. **Motion to Reconsider. --** (a) When a question has been decided, it is in order for any member to move for the reconsideration thereof, on the same or the succeeding legislative day; provided that if the vote by which the motion was originally decided was taken by a recorded vote, only a member of the prevailing side may move for reconsideration.

(b) A motion to reconsider shall be determined by a majority vote, except the

following shall require a two-thirds (2/3) vote: a second or subsequent motion to reconsider, and a motion to reconsider:

(1) A vote upon a motion to table,
(2) A motion to postpone indefinitely,
(3) A motion to remove a bill from the unfavorable calendar,
(4) A motion that a bill be read twice on the same day, or
(5) A motion to remove from the table.

(c) A motion to reconsider the vote by which a person has been elected as Speaker or Speaker Pro Tempore shall not be in order. This subsection of this rule cannot be suspended.

RULE 19. **Previous Question**. -- (a) The previous question may be called only by:

(1) The chair of the Committee on Rules, Calendar, and Operation of the House;
(2) The majority leader;
(3) The member submitting the report on the bill or other matter under consideration, by the member introducing the bill or other matter under consideration; or
(4) The member in charge of the measure, who shall be designated by the Chair of the standing committee or permanent subcommittee reporting the same to the House at the time the bill or other matter under consideration is reported to the House or taken up for consideration.

(b) The previous question shall be as follows: "Shall the main question now be put?" When the call for the previous question has been decided in the affirmative by a majority vote of the House, the "main question" is on the passage of the bill, resolution, or other matter under consideration.

(c) The call for the previous question shall preclude all motions, amendments, and debate, except the motion to adjourn or motion to table.

(d) If the previous question is decided in the negative, the main question remains under debate.

IV. Voting

RULE 20. **Use of Electronic Voting System.** -- (a) Votes on the following questions shall be taken on the electronic voting system, and the ayes and noes shall be recorded on the Journal:

(1) The passage as required by Article II, Section 23 of the Constitution of North Carolina, on second and third readings of any bill:
   a. Raising money on the credit of the State,
   b. Pledging the faith of the State for the payment of a debt,
   c. Imposing a State tax, or
   d. Authorizing a county, municipality, or other local governmental unit to
      1. Raise money on its credit,
      2. Pledge its faith for the payment of a debt, or
      3. Impose a local tax.
(2) All measures affecting a fee imposed by the State or any subdivision thereof.
(3) All questions on which a call for the ayes and noes under Rule 24(a) and Article II, Section 19 of the Constitution of North Carolina has been sustained.
(4) Both second and third readings of bills proposing amendment of the Constitution of North Carolina or ratifying resolutions amending the Constitution of

the United States.

(b) Votes on the following questions shall be taken on the electronic voting system:

(1) Second reading of all public bills, all amendments to public bills offered after second reading, third reading if a public bill was amended after second reading or if the reading occurs on a day or days following the second reading, all conference reports on public bills, all motions to lay public bills on the table, and all motions to postpone public bills indefinitely.

(2) Upon a call for division.

(3) Any other question upon direction of the Speaker or upon motion of any member supported by one-fifth (1/5) of the members present.

(c) When the electronic voting system is used, 15 seconds shall be allowed for voting on the question before the House, unless the Chair shall direct otherwise. The system shall be set to close automatically when that time has expired. Once the system is locked, the vote shall be recorded and printed.

(d) The voting station at each member's desk in the Chamber shall be used only by the member to which the station is assigned. Under no circumstances shall any other person vote at a member's station. It is a breach of the ethical obligation of a member either to request that another person vote at the requesting member's station, or to vote at another member's station. The Speaker shall enforce this rule without exception.

(e) When the electronic voting system is used, the Speaker shall state the question and shall then state substantially the following: "All in favor vote 'aye'; all opposed vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the member must vote by the electronic voting system within the time allowed for that vote, unless the voting station assigned to a member is malfunctioning. The Speaker shall enforce this rule without exception. After the allotted time for voting has elapsed, the Speaker shall say: "The Clerk will now lock the machine and record the vote." After the machine is locked and the vote recorded, the Speaker shall announce the vote and declare the result.

(f) One copy of the machine printout of the vote record of all votes taken on the electronic system shall be filed in the office of the Principal Clerk, and one copy shall be filed in the Legislative Library where it shall be open to public inspection. A legible copy of the bill, amendment, or motion on which the vote was taken shall be filed with the printout of the vote in the Legislative Library.

(g) When the Speaker ascertains that the electronic voting system is inoperative before a vote is taken or while a vote is being taken on the electronic system, the Speaker shall announce that fact to the House and any partial electronic system voting record shall be voided. In such a case, if the Constitution of North Carolina or the Rules of the House require a call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes and noes shall be taken manually and shall be recorded on the Journal. All roll call votes shall be taken alphabetically. All other votes shall be taken by voice vote. If, after a vote is taken on the electronic system, it is discovered that a malfunction caused an error in the electronic system printout, the Speaker shall direct the Reading Clerk and the Principal Clerk to verify and correct the printout record and so advise the House.

(h) For the purpose of identifying motions on which the vote is taken on the electronic system, the motions are coded as follows:

1. To adjourn
2. To lay on the table
3. Previous question
4. To postpone indefinitely
5. To reconsider
6. To postpone to a day certain
7. To refer
8. To amend an amendment
9. To amend
10. To substitute
11. To concur or not concur
12. Miscellaneous

RULE 21. **Voice Votes; Stating Questions.** -- (a) When the electronic voting system is not used, the Speaker shall rise and put a question.

(b) The question shall be put in this form, namely, "Those in favor (as the question may be) will say 'Aye'", and after the affirmative voice has been expressed, "Those opposed will say 'No'".

(c) No statement, explanation, debate, motion, parliamentary inquiry, or point of order shall be allowed once the voice vote has begun. Any point of order or parliamentary inquiry may be raised, however, after the completion of the vote.

RULE 22. **Determining Questions.** -- (a) Unless otherwise provided by the Constitution of North Carolina or by these rules, all questions shall be determined by a simple majority of the members present and voting.

(b) No member may vote unless the member is in the chamber when the question is put. This subsection of this rule cannot be suspended.

RULE 23. **Voting by Division.** -- Any member may call for a division of the members upon the question before the result of the vote has been announced. Upon a call for a division, the Speaker shall cause the number voting in the affirmative and in the negative to be determined. Upon a division and count of the House on any question, no member away from the member's seat shall be counted.

RULE 24. **Roll Call Vote.** -- (a) Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth (1/5) of the members present, the question shall be decided by the ayes and noes upon a roll call vote.

(b) Every member who is in the Hall of the House when the question is put shall vote upon a call of the ayes and noes, unless excused pursuant to Rule 24.1A.

RULE 24.1A. **Excuse From Deliberations and Voting on a Bill.** -- (a) Any member shall upon request be excused from the deliberations and voting on a particular bill, but to do so must make that request after the second reading of the bill and before any motion or vote on the bill or any amendment thereto. If the reason for the request arises at some point later in the proceedings, the request may be made at that time.

(b) The member may make a brief oral statement of the reasons for making that request. The member may send forward to the Principal Clerk, on a form provided by the Clerk, a concise written statement of the reason for the request, and the Clerk shall include this statement in the Journal.

(c) The member so excused shall not debate the bill or any amendment to the bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any motion concerning the bill at that reading, any subsequent reading, or any subsequent

consideration of the bill.

(d) A member may request that his or her excuse from deliberations on a particular bill be withdrawn.

RULE 24.1B. **Division of Amendments.** -- Any member may call for an amendment to be divided into two or more amendments to be voted on separately, and the Speaker shall determine whether the amendment admits of such a division.

RULE 25. **Voting by Speaker.** -- In all elections the Speaker may vote. In all other instances the Speaker may vote, or may reserve this right until there is a tie in which event the Speaker may vote; but in no instance may the Speaker vote twice on the same question.

V. Committees

RULE 26. **Standing Committees and Permanent Subcommittees Generally.** --

(a) The Speaker shall appoint a Chair, or Cochairs, of every standing committee and select committee, if any. In the construction of these rules, the word "Chair" as applied to a standing committee extends to and includes a Cochair of the standing committee. The Speaker shall have the exclusive right and authority to establish select committees, but this does not exclude the right of the House by resolution to establish select committees.

(b) All permanent subcommittees of each standing committee shall be appointed by the Speaker and the members appointed, along with the Chair of the standing committee, shall constitute the standing committee of which the permanent subcommittee is a part. The Speaker shall appoint all members of permanent subcommittees at the beginning of the first regular session in a manner to reflect the partisan membership of the House.

(c) The Speaker shall appoint the members of all standing committees having no permanent subcommittees, at the beginning of the first regular session in a manner to reflect the partisan membership of the House.

(d) The first member announced on each permanent subcommittee shall be the Chair. The Speaker may designate one or more Vice-Chairs.

(e) Each Chair of a permanent subcommittee shall be a Vice-Chair of the standing committee of which it is a permanent subcommittee. The Speaker may name other members as Vice-Chairs of the standing committee. The Speaker may name one or more Vice-Chairs for any standing committee not having permanent standing subcommittees.

(f) The Chair of the standing committee shall be a voting member of each permanent subcommittee of the standing committee.

(g) Either the Chair or Acting Chair, designated by the Chair or by the Speaker, and five other members of the standing committee or permanent subcommittee, or a majority of the standing committee or permanent subcommittee, whichever is fewer, shall constitute a quorum of that standing committee or permanent subcommittee. For purposes of determining a quorum, the Majority Leader and Speaker Pro Tempore, when serving only as ex officio members under subsection (i) of this rule, shall be counted among the membership of the committee or subcommittee only when present.

(h) In any joint meeting of the Senate and House committees or subcommittees, the House standing committee or permanent subcommittee reserves the right to vote separately.

(i) The Majority Leader and Speaker Pro Tempore are ex officio members of every

standing committee and permanent subcommittee, with the right to vote.

RULE 27. **List of Standing Committees and Permanent Subcommittees.** -- The standing committees and permanent subcommittees thereof are:

Committee	Subcommittees
Agriculture	(None)
Appropriations	-Education
	-General Government
	-Human Resources
	-Justice and Public Safety
	-Natural and Economic Resources
	-Transportation
Business and Labor	-Economic Expansion and Growth
	-Labor Relations and Employment
	-Travel and Tourism
Education	-Community Colleges and Universities
	-Pre-School, Elementary and Secondary Education
Ethics	(None)
Finance	(None)
Financial Institutions	(None)
Health and Environment	(None)
Insurance	(None)
Judiciary I	(None)
Judiciary II	(None)
Local and Regional Government I	(None)
Local and Regional Government II	(None)
Pensions and Retirement	(None)
Public Employees	(None)
Public Utilities	(None)
Rules, Calendar, and Operations of the House	(None)
State Government	-Boards and Commissions
	-Military, Veterans, and Indian Affairs
	-State Parks, Facilities, and Property
Transportation	-Airports, Railways, and Waterways
	-Highways
	-Public Transportation
Ways and Means	(None)
Welfare Reform and Human Resources	-Aging
	-Families.

RULE 28. **Standing Committee and Permanent Subcommittee Meetings.** -- (a) Standing committees and permanent subcommittees of standing committees shall be furnished with suitable meeting places pursuant to a schedule adopted by the Standing Committee on Rules, Calendar, and Operations of the House. Select committees shall be furnished with suitable meeting places as their needs require by the Chair of the

Standing Committee on Rules, Calendar, and Operations of the House.

(b) Subject to the provisions of the subsection (c) of this Rule, standing committees and permanent subcommittees thereof shall permit other members of the General Assembly, the press, and the general public to attend all sessions of said standing committees or permanent subcommittees.

(c) The Chair or other presiding officer shall have general direction of the meeting place of the standing committee or permanent subcommittee and, in case of any disturbance or disorderly conduct therein, or if the peace, good order, and proper conduct of the legislative business is hindered by any person or persons, the Chair or presiding officer shall have power to exclude from the session any individual or individuals so hindering the legislative business.

(d) Procedure in the standing committees and permanent subcommittee shall be governed by the rules of the House, so far as the same may be applicable to such procedure. Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth (1/5) of the members present, the question shall be decided by the ayes and noes upon a roll call vote. All roll call votes shall be taken alphabetically and shall be subject to Rule 21(c).

(e) No standing committee or permanent subcommittee shall meet on any day when the House shall not convene except by permission of the Speaker or by approval of the House by resolution adopted by a majority vote of the House.

(f) No standing committee or permanent subcommittee shall meet during any session of the House. Standing committees and permanent subcommittees shall meet at their regularly scheduled hour. No permanent subcommittee shall meet at the same time that its standing committee is meeting. Standing committees and permanent subcommittees may meet at other times as authorized by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House in order to assure the availability of the meeting room and that no conflicts will exist with the meetings of other bodies. All standing committee and permanent subcommittee meetings shall adjourn no later than:

(1) 15 minutes preceding a regular session of the House, and

(2) 10 minutes preceding the hour of the next regularly scheduled standing committee or permanent subcommittee meeting.

(g) Any call or notice of a standing committee or permanent subcommittee meeting between legislative sessions shall be mailed to each member of the standing committee or permanent subcommittee at least five days prior to such meeting. If a member of the body so requests in writing to the Chair of the standing committee or permanent subcommittee, the member shall be notified by certified mail of the meetings.

(h) During standing committee and permanent subcommittee meetings, the Chair may exercise the right to vote, or may reserve this right until there is a tie, in which event the Chair may vote, but in no instance may the Chair vote twice on the same question.

RULE 28.1. **Ethics Committee Investigations Into Violations of the Open Meetings Law.** -- (a) On its own motion, or in response to signed and sworn complaint of any individual filed with the Standing Committee on Ethics, the Committee shall inquire into any alleged violation by members of the House of the Open Meetings Law (Article 33C of Chapter 143 of the General Statutes), as the same may be amended in the future.

(b) If, after such preliminary investigation as it may make, the Committee determines to proceed with an inquiry into the conduct of any individual, the Committee shall notify the individual as to the fact of the inquiry and the charges against him and shall schedule one or more hearings on the matter. The individual shall have the right to present evidence, cross-examine witnesses, and be represented by counsel at any hearings.

(c) After the Committee has concluded its inquiries into the alleged violations, the Committee shall dispose of the matter by taking one of the following actions:

(1) Dismiss the complaint and take no further action.

(2) Issue a letter of reprimand to the legislator, if the legislator unintentionally violated the provisions of the Open Meetings Law.

(3) Issue a letter of reprimand if the violation of the Open Meetings Law was intentional, or if the legislator has previously received a letter of reprimand. The Chair of the Committee on Ethics shall have the public letter of reprimand spread on the pages of the House Journal.

(4) Refer the matter to the House for appropriate action.

RULE 29. **Notice of Standing Committee and Permanent Subcommittee Meetings and Hearings. --** Public notice of all standing committee and permanent subcommittee meetings shall be given in the House. The Chair of the standing committee or permanent subcommittee shall notify or cause to be notified the sponsor of each bill which is set for hearing or consideration before the standing committee or permanent subcommittee as to the date, time, and place of that meeting.

RULE 29.1. **Public Hearings. --** (a) Requests for a public hearing shall be made in writing to the Chair of the standing committee and, if applicable, the Chair of the permanent subcommittee to which the bill has been referred. The Chair of the standing committee may schedule a public hearing by the standing committee as a whole after the adjournment of a regular daily House session. The Chair of the permanent subcommittee may schedule a public hearing before the permanent subcommittee at its regularly scheduled hour. Denial of a request made by a House member may be appealed to the Speaker. Notice shall be given not less than five calendar days prior to public hearings. These notices shall be issued as information for the press, and information shall be posted in the places designated by the Principal Clerk.

(b) Persons desiring to appear and be heard at a public hearing shall submit their request to the Chair of the standing committee or permanent subcommittee. The standing committee or permanent subcommittee Chair may designate one or more members to arrange the order of appearance of interested parties. A brief written statement of testimony may be submitted without oral presentation and shall be incorporated in the minutes of the public hearing.

RULE 29.2. **Minutes to Legislative Library. --** The Chair of a standing committee or a permanent subcommittee shall insure that written minutes are compiled for each of the body's meetings. The minutes shall indicate the members present and the actions taken at the meeting. Not later than 20 days after the adjournment of each session of the General Assembly, the Chair shall deliver the minutes to the Legislative Library. The Speaker of the House may grant a reasonable extension of time for filing said minutes upon written application of the Chair.

RULE 30. **Standing Committee of the Whole House. --** (a) A Standing Committee of the Whole House shall not be formed, except by suspension of the rules, if there be

objection by any member.

(b) After passage of a motion to form a Standing Committee of the Whole House, the Speaker shall appoint a Chair to preside in the standing committee, and the Speaker shall leave the dais.

(c) The rules of procedure in the House shall be observed in the Standing Committee of the Whole House, so far as they may be applicable, except the rule limiting the time of speaking and the previous question.

(d) In the Standing Committee of the Whole House, a motion that the standing committee rise shall always be in order, except when a member is speaking, and shall be decided without debate.

(e) When a bill is submitted to the Standing Committee of the Whole House, it shall be read and debated by sections, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the clerk on a separate paper as the same shall be agreed to by the standing committee, and be so reported to the House. After report, the bill shall again be subject to be debated and amended by sections before a question on its passage be taken.

VI. Handling of Bills

RULE 31. **Introduction of Bills and Resolutions. --** (a) All bills and resolutions shall be introduced by submitting same to the Principal Clerk's office on the legislative day prior to the first reading and reference thereof according to the following schedule: by 8:30 p.m. each Monday, by 3:00 p.m. each Tuesday, Wednesday, Thursday, and Friday.

(b) Bills shall not become resolutions provided the Senate has a similar rule. Resolutions shall not become bills. Resolutions are not law but may be used when a law is not necessary for the purpose contained therein. Resolutions shall not be used to appropriate funds for any purpose, but may be used to create study commissions or committees or establish investigative committees, to honor deceased persons, and to adopt House rules and internal affairs. Resolutions cannot amend, repeal, or modify a statute; nor do they have life beyond the term of the session during which they are adopted.

(c) Every bill or resolution shall be read in regular order of business, except upon permission of the Speaker or on the report of a standing committee.

(d) All bills and resolutions shall show in their captions a brief descriptive statement of the true substance of same, which captions may thereafter be amended. Captions of public bills may be amended only by amendment proposed by the standing committee to which the bill was referred. Third reading shall not be had on any bill or resolution on the same day that such caption is amended.

(e) A Substitute Bill shall be covered with the same color jacket as the original bill and shall be prefaced as follows: "House Substitute for" or "House Committee Substitute for_____".

(f) House Resolutions need not be read more than twice.

(g) All memorializing, celebration, commendation, and commemoration resolutions, except those honoring the memory of deceased persons, shall be excluded from introduction and consideration in the House.

RULE 31.1. **Deadlines on Introduction and Receipt of Limitation on Number of Public Bills Introduced; Single Subject Rule. --** (a) All bills or resolutions

recommended by commissions or standing committees authorized or directed by act or resolution of the General Assembly to report to the 1995 Regular Session of the General Assembly, or to report prior to convening of that session, must be introduced not later than the third Wednesday in February (February 15) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Wednesday (February 22) shall be treated as if it had been introduced pursuant to this subsection.

(a1) All bills prepared to be introduced for departments, agencies, or institutions of the State must be introduced not later than the first Wednesday in March (March 1) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:30 p.m. on the next Wednesday (March 8) shall be treated as if it had been introduced pursuant to this subsection. Bills introduced under this subsection shall be identified as an Agency Bill after its short title.

(a2) All local bills must be introduced not later than the fourth Wednesday in March (March 22) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Wednesday (March 29) shall be treated as if it had been introduced pursuant to this subsection.

(b) All public bills not containing appropriations or tax law changes must be introduced not later than the last Wednesday in March (March 29) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the second Tuesday thereafter (April 11) shall be treated as if it had been introduced pursuant to this subsection.

(c) All public bills containing appropriations and tax law changes, or containing appropriations but not tax law changes, must be introduced not later than the fourth Thursday in April (April 27) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (May 4) shall be treated as if it had been introduced pursuant to this subsection. All public bills containing tax law changes must be introduced not later than the second Thursday in May (May 4) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (May 11) shall be treated as if it had been introduced pursuant to this subsection. If any bill is eligible for introduction on account of the date only under this subsection, and the bill is amended so that qualifying appropriation or tax law change does not remain in the bill, it shall not be eligible for further consideration. For the purpose of this section, a "tax law change" includes any provision that would require a bill under Rule 38(b) to be referred to the Standing Committee on Finance.

(c1) All resolutions, except those honoring the memory of deceased persons or adjourning the General Assembly must be introduced not later than the first Thursday

in May (May 4) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (May 11) shall be treated as if it had been introduced pursuant to this subsection.

(d) In order to be eligible for consideration by the House during the first Regular Session, all Senate bills other than finance or appropriations bills or adjournment resolutions, must be received and read on the floor of the House as a message from the Senate no later than May 11; provided that a message from the Senate received by the next legislative day stating thata bill has passed its third reading and is being engrossed shall comply with the requirements of this subsection and provided that the Senate has a similar rule.

(d1) No member may introduce more than 10 public bills. For the purpose of the subsection, the introducer is the member who is listed as the first sponsor. A member may assign a portion of this limit to another member by notifying the Principal Clerk in writing on a form prepared by the Principal Clerk. This subsection does not apply to bills or resolutions recommended by commissions or standing committees authorized or directed by act or resolution of the General Assembly to report to the 1995 Regular Session of the General Assembly, or to report prior to convening of that session. This subsection does not apply to joint resolutions or House resolutions.

(d2) Except by motion approved by a majority of members of the House present and voting, no public House bill other than the Current Operations Appropriations Act or the Capital Improvement Appropriations Act may contain more than one subject.

(e) This rule, other than subsection (d2), does not apply to bills establishing districts for Congress or State or local entities. This rule, other than subsection (d2), does not apply to measures ratifying an amendment or amendments to the Constitution of the United States.

RULE 32. **Reference to Standing Committee and to Permanent Subcommittees.** -- (a) Each bill, joint resolution, or House resolution not introduced on the report of a standing committee shall immediately upon its first reading be referred by the Speaker to such standing committee or permanent subcommittee as the Speaker deems appropriate.

(b) The standing committee Chair may refer each bill referred to the standing committee to the permanent subcommittee specifically charged with the subject matter of the bill. A report of that referral shall be made in writing and submitted tothe body pursuant to Rule 5(5). Except as provided in Rule 36, the permanent subcommittee to which the bill is referred shall report the bill back to the full standing committee. That subcommittee report shall include one of the following recommendations:

(1) Favorable, without prejudice, or unfavorable as to the original bill with the recommendation that the report be made to the standing committee;

(2) Favorable, without prejudice, or unfavorable as to the original bill, as amended, with the recommendation that the report be made to the standing committee;

(3) Favorable or without prejudice to the proposed committee substitute, and unfavorable to the original bill, with the recommendation that the report be made to the standing committee;

(4) Favorable as to the original bill with the recommendation that the report

be made directly to the floor of the House, if approved by the standing committee Chair;

(5) Favorable to the original bill, as amended, with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee Chair;

(6) Favorable to the proposed committee substitute with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee Chair, and unfavorable to the original bill.

Any recommendation of favorable or without prejudice may include a recommendation of re-referral to another standing committee. After a bill is reported to a standing committee by a permanent subcommittee of that standing committee, the standing committee Chair may re-refer the bill to another permanent subcommittee of that standing committee. Upon recommendation to the standing committee, the bill shall be before that body for further action unless the permanent subcommittee Chair reports the bill directly pursuant to Rule 36.

(c) When a committee substitute is adopted by a permanent subcommittee or a standing committee for a bill which was introduced with no substantive provisions and the committee substitute deletes a majority of the provisions of the original bill and adds provisions that are not germane to the original bill, no further action may be taken by any standing committee or permanent subcommittee upon such bill until the second legislative day thereafter.

RULE 33. **Papers Addressed to the House.** -- Petitions, memorials, and other papers addressed to the House shall be presented by the Speaker. A brief statement of the contents thereof may be orally made by the introducer before reference to a committee, but such papers shall not be debated or decided on the day of their first being read unless the House shall direct otherwise.

RULE 34. **Introduction of Resolutions and Bills, Copies Required.** -- (a) Whenever any resolution or bill is introduced, a duplicate copy thereof shall be attached thereto, and the Principal Clerk shall cause said duplicate copy to be numbered as the original resolution or bill is numbered, and shall cause the same to be available at all times to the member introducing the same.

(b) Numbering of House Bills shall be designated as "H.B.___." (No. following). A Joint Resolution shall be designated as "H.J.R. ___." (No. following). A House Resolution shall be designated as "H.R.___." (No. following).

(c) Whenever any resolution or bill is filed for introduction, it shall be in a House bill jacket containing 30 copies and in the form designated by the Speaker. Any resolution or bill not accompanied by the required number of copies shall be immediately returned to the introducer. The Clerk shall stamp the copies with the number stamped upon the original bill.

RULE 35. **Duplicating and Availability of Copies of Bills.** -- (a) The Legislative Administrative Officer shall cause such bills as are introduced to be duplicated in such numbers as may be specified by the Speaker. The Legislative Administrative Officer shall cause one copy of each resolution and public bill for each member to be delivered to the member's clerk or secretary who shall place it in the appropriate notebook on the member's desk. If a member so requests, a second copy shall be delivered to the member's clerk or secretary who shall place it in the member's office. The remaining copies shall be placed in the Printed Bills Room and made available to the committees

to which the bill is referred, to individual members on request, and to the general public.

(b) A public bill is a bill affecting 15 or more counties. A local bill is one affecting fewer than 15 counties. No public bill and, upon objection by a member, no local bill maybe considered unless copies of the bill have been made available to the entire membership of the House.

RULE 35.1. **Assessment Reports.** Every bill or resolution proposing the establishment of an occupational or professional licensing plan or a study for the need to establish such a plan shall have attached to the jacket of the original bill or resolution at the time of its consideration on second and third readings by the House or by any standing committee or permanent subcommittee of the House, an assessment report from the Legislative Standing Committee on New Licensing Plans pursuant to Article 18A of Chapter 120 of the General Statutes. The assessment report shall not constitute any part of the expression of legislative intent proposed by the formation of a licensing plan. Upon receipt of the request, the Legislative Standing Committee on New Licensing Plans shall prepare and return the assessment report as soon as possible but not later than 60 days, reserving the right to extend this time to 90 days.

RULE 36. **Report by Standing Committee or Permanent Subcommittee. --** All House bills and resolutions shall be reported from the standing committee or permanent subcommittee to which referred with such recommendations as the standing committee or permanent subcommittee may desire to make except in the case where the principal introducer requests in writing to the Chair of the standing committee or permanent subcommittee that the bill not be considered. With the written approval of the Chair of the standing committee and with the recommendation of the subcommittee pursuant to Rule 32(4) through (6), the Chair of the permanent subcommittee may report the bill directly to the floor with that recommendation. If a permanent subcommittee recommends reporting a bill to the floor and the Chair of the standing committee fails to give approval, the bill shall be deemed to have been reported to the standing committee with the same recommendation as the subcommittee would have made to the House.

(a) **Favorable Report.** When a standing committee or permanent subcommittee reports a bill with the recommendation that it be passed, the bill shall be placed on the favorable calendar on the day (no earlier than the next legislative day) designated by the Chair of the Committee on Rules, Calendar, and Operations of the House, except that in the absence of the Chair of the Committee on Rules, Calendar, and Operations of the House, the Speaker may take such action, and except that bills on the Public Consent Calendar shall be placed on the favorable calendar as provided by Rule 40. In order to place a bill on the calendar for a legislative day, notice shall be given orally in the House no later than the previous legislative day, or notice shall be given in writing to the Principal Clerk no later than the later of one hour after adjournment or 3:30 p.m. on the previous legislative day. When a committee substitute is adopted and receives a favorable report by the committee or permanent subcommittee, the standing committee or permanent subcommittee Chair shall submit to the standing committee or permanent subcommittee the question of an unfavorable report on the original bill. The standing committee's or permanent subcommittee's action, if any, on the original bill shall be reported at the same time the committee substitute is reported.

(b) **Report Without Prejudice.** When a standing committee reports a bill without

prejudice, the bill shall be placed on the favorable calendar in the same manner as provided in subsection (a) of this rule.

(c) **Postponed Indefinitely.** When a standing committee reports a bill with the recommendation that it be postponed indefinitely and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

(d) **Unfavorable Report.** When a standing committee reports a bill with the recommendation that it be not passed and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

(e) **Minority Report.** When a bill is reported by a standing committee with a recommendation that it be not passed or that it be postponed indefinitely, but it is accompanied by a minority report signed by at least one-fourth (1/4) of the members of the standing committee who were present and voting when the bill was considered in standing committee, the question before the House shall be: "The adoption of the minority report." If the minority report is adopted by majority vote, the bill shall be placed on the favorable calendar for consideration. If the minority report fails of adoption by a majority vote, the bill shall be placed on the unfavorable calendar.

RULE 36.1. **Fiscal Notes.** -- (a) The Chair or Cochair of the Appropriations Committee, of the Finance Committee or of the Rules, Calendar, and Operations of the House Committee, upon the floor of the House may request that a fiscal analysis be made of a bill, resolution, or an amendment to a bill or resolution which is in the possession of the House and that a fiscal note be attached to the measure, when in the opinion of that Chair the fiscal effects of that measure are not apparent from the language of the measure.

(b) The fiscal note shall be filed and attached to the bill or amendment within two legislative days of the request. If it is impossible to prepare a fiscal note within two legislative days, the Director of Fiscal Research shall, in writing, so advise the Speaker, the Principal Clerk, and the member introducing or proposing the measure and shall indicate the time when the fiscal note will be ready.

(c) The fiscal note shall be prepared by the Fiscal Research Division on a form approved by the Rules, Calendar, and Operations of the House Committee as to content and form and signed by the staff member or members preparing it. If no estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate is provided. The fiscal note shall not comment on the merit but may identify technical problems. The Fiscal Research Division shall make the fiscal note available to the membership of the House.

(d) A sponsor of a bill or amendment may deliver a copy of the bill or amendment to the Fiscal Research Division for the preparation of a fiscal note. The sponsor shall attach the fiscal note to the bill when filed or to the amendment when its adoption is moved.

(e) The sponsor of a bill or amendment to which a fiscal note is attached who objects to the estimates and information provided may reduce to writing the objections. These objections shall be appended to the fiscal note attached to the bill or amendment and to the copies of the fiscal note available to the membership.

(f) Subsection (a) of this rule shall not apply to the current operations appropriations bill or the capital improvements appropriations bill. This rule shall not apply to a bill or amendment requiring an actuarial note under these rules.

RULE 36.2. **Actuarial Notes.** -- (a) Every bill or resolution proposing any change

in the law relative to any:

(1) State, municipal, or other retirement system funded in whole or in part out of public funds; or

(2) Program of hospital, medical, disability or related benefits provided for teachers and State employees, funded in whole or in part by State funds;

shall have attached to it at the time of its consideration by any standing committee or permanent subcommittee a brief explanatory statement or note which shall include a reliable estimate of the financial and actuarial effect of the proposed change to that retirement or pension system. The actuarial note shall be attached to the jacket of each proposed bill or resolution which is reported favorably by any standing committee or any permanent subcommittee, shall be separate therefrom, and shall be clearly designated as an actuarial note. A bill described in subsection (a)(1) of this Rule shall be referred to the Committee on Pensions and Retirement upon its introduction.

(b) The sponsor of the bill or resolution shall present a copy of the measure, with a request for an actuarial note, to the Fiscal Research Division which shall prepare the actuarial note as promptly as possible but not later than two weeks after the request is made unless an extension of time is agreed to by the sponsor as being necessary in the preparation of the note. Actuarial notes shall be prepared in the order of receipt of request and shall be transmitted to the sponsor of the measure. The actuarial note of the Fiscal Research Division shall be prepared and signed by an actuary.

(c) The sponsor of the bill or resolution shall also present a copy of the measure to the actuary employed by the system or program affected by the measure. Actuarial notes shall be prepared and transmitted to the sponsor of the measure not later than two weeks after the request is received, unless an extension of time is agreed to by the sponsor as being necessary in the preparation of the note. The actuarial note shall be attached to the jacket of the measure. The provisions of this subsection may be waived by the measure's sponsor for a measure affecting local government retirement or pension plans not administered by the State or any local government program of hospital, medical, disability or related benefits for local government employees not administered by the State.

(d) The note shall be factual and shall, if possible, provide a reliable estimate of both the immediate effect and, if determinable, the long range fiscal and actuarial effect of the measure. If, after careful investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. No comment or opinion shall be included in the actuarial note with regard to the merits of the measure for which the note is prepared. Technical and mechanical defects in the measure may be noted.

(e) When any permanent subcommittee or standing committee reports a measure to which an actuarial note is attached at the time of permanent subcommittee or standing committee consideration, with any amendment of such nature as would substantially affect the cost to or the revenues of any retirement or pension system, the Chair of the permanent subcommittee or standing committee reporting the measure shall obtain from the Fiscal Research Division an actuarial note of the fiscal and actuarial effect of the proposed amendment. The actuarial note shall be attached to the jacket of the measure. An amendment to any bill or resolution shall not be in order if the amendment affects the costs to or the revenues of a State administered retirement or pension system, unless the amendment is accompanied by an actuarial note, prepared

by the Fiscal Research Division, as to the actuarial effect of the amendment.

(f) The Fiscal Research Division shall make all relevant actuarial notes available to the membership of the House.

RULE 36.4. **Local Legislation Affecting State Highway System.** -- A local bill affecting the State Highway System shall be referred to the Committee on Transportation.

RULE 37. **Removing Bill From Unfavorable Calendar.** -- A bill may be removed from the unfavorable calendar upon motion carried by a two-thirds (2/3) vote. A motion to remove a bill from the unfavorable calendar is debatable.

RULE 38. **Reports on Appropriation and Revenue Bills.** -- (a) All standing committees, other than the Standing Committee on Appropriations, when favorably reporting any bill or resolution which:

1. Carries an appropriation from the State; or
2. Requires or will require in the future substantial additional State monies from the General Fund or Highway Fund to implement its provisions, shall indicate same in the report, and said bill or resolution shall be referred to the Standing Committee on Appropriations for a further report before being acted upon by the House.

(b) All standing committees, other than the Standing Committee on Finance, when favorably reporting any bill which in any way or manner raises revenue, reduces revenue, levies a tax, authorizes the levying of a tax, an assessment, or a fee, or authorizes the issue of bonds or notes, whether public, public local, or private, shall indicate same in the report, and said bill shall be referred to the Standing Committee on Finance for a further report before being acted upon by the House.

(c) **Action on Amendment Before Re-Referral.** If any standing committee recommends adoption of an amendment or committee substitute of a bill which, under the rules of the House must be referred to the Standing Committees on Appropriations or Standing Committee on Finance, the amendment or committee substitute shall be considered and, if adopted, the amendment or substitute engrossed before the bill is re-referred.

RULE 39. **Recall of Bill From Standing Committee; Discharge Petition.** -- (a) When a House bill has been introduced and referred to a standing committee, or when a Senate bill has been referred to a standing committee, if after 10 legislative days the standing committee has failed to report the bill, then the introducer of the House bill or some member designated by him, or some House member designated by the introducer of the Senate bill, may, after three legislative days' public notice given in the House and delivered in writing to the Chair of the standing committee, on motion supported by a majority vote of the members present and voting, recall the same from the standing committee to the floor of the House for consideration and such action thereon as a majority of the members present may direct.

(b) A motion to discharge a committee from consideration of a bill or resolution may be filed with the Principal Clerk if accompanied by a petition signed by a majority of the members of the House asking that the committee be discharged from further consideration of the bill or resolution. No petition may be circulated for signatures until 10 legislative days after the bill has been referred to the committee. No petition may be circulated for signature until notice has been given on the floor of the House that the petition is to be circulated. If such a motion accompanied by a valid petition

is filed, the Principal Clerk shall place that motion on the calendar for the next legislative day as a special order of business. If the motion is adopted by the House, then the committee to which the bill or resolution has been referred to is discharged from further consideration of the bill or resolution, and that bill or resolution is placed on the calendar for the next legislative day as a special order of business. If the committee had prior to discharge adopted any amendment or committee substitute for the bill, it shall be in order to offer that amendment or substitute on the floor as if it were a committee amendment or substitute. The Principal Clerk shall provide a form for discharge petitions.

(c) This rule shall not be temporarily suspended without one day's notice on the motion given in the House and delivered in writing to the Chair of the standing committee, and to sustain that motion two-thirds (2/3) of the members present and voting shall be required.

RULE 39.1. **Recall of Bill From Permanent Subcommittee. --** When a House bill has been referred to a permanent subcommittee, if after 10 legislative days the subcommittee has failed to act thereon or, at any time, with the agreement of the subcommittee chair, the standing committee Chair may re-refer the bill from that permanent subcommittee to another permanent subcommittee of the same standing committee provided the report of the re-referral shall be made pursuant to Rule 32.

RULE 39.2. **Re-Referral of Bills From One Standing Committee to Another Standing Committee. --** Upon consent of the sponsor of the bill, the Speaker, the Chair of the standing committee from whom the bill is to be re-referred, and the Chair of the standing committee to whom the bill is to be re-referred, the Chair of the standing committee from whom the bill is to be re-referred or the Chair of the Committee on Rules, Calendar, and Operations of the House may move for a re-referral to another standing committee and the bill shall be re-referred upon vote of the majority present during a regular session of the House.

RULE 40. **Calendars and Schedules of Business.** (a) The Clerk of the House shall prepare a daily schedule of business, including the Calendar of Bills and Resolutions for consideration and debate that day, in accordance with the Order of Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the order in which they are introduced. All bills and resolutions shall be taken up as they appear in each category (Rule 5(10)) in the order they were placed on the Calendar under Rule 36(a).

(b) When a public bill has received a recommendation for a favorable report, favorable report as amended, or favorable as to committee substitute, and the vote in the committee was unanimous of the members present and voting, the Chair of the Committee (or the Chair of the subcommittee if the bill is being reported directly to the floor) may designate in the committee report that the bill is to go on the consent calendar. The bill shall appear on the consent calendar for the second legislative day after the report is made. The Principal Clerk shall note on the calendar for the next legislative day the bills, including short titles, that will appear on the consent calendar for the following legislative day. A bill shall be removed from the consent calendar if any member of the House makes such request in writing to the Principal Clerk no later than one hour before convening of the House on the day the bill appears on the consent calendar, and in such case the bill shall be placed on the regular calendar for that day. It shall not be in order to offer any amendment to a bill on the consent calendar except

committee amendments. The Speaker may recognize the sponsor of the bill for not to exceed two minutes of debate (or a person designated by the Chair of the committee reporting the bill in the case of a Senate bill). The Speaker shall then put the question on the bill. The bill shall appear on the consent calendar for third reading unless a member requests, no later than the adjournment of the daily session when the bill passed second reading, that the bill appear on the regular calendar.

RULE 41. **Reading of Bills.** -- (a) Every bill shall receive three readings in the House prior to its passage. The first reading and reference to standing committee of a House bill shall occur on the next legislative day following its introduction. The first reading and reference to standing committee of a Senate bill shall occur on the next legislative day following its receipt on messages from the Senate. The Speaker shall give notice at each subsequent reading whether it be the second or third reading.

(b) No bill shall be read more than once on the same day without the concurrence of two-thirds (2/3) of the members present and voting; provided, no bill governed by Article II, Section 23 of the North Carolina Constitution or described in Rule 20 (a)(2) herein shall be read twice on one day under any circumstance.

RULE 42. **Effect of a Defeated Bill.** (a) Subject to the provisions of subsection (b) of this rule, after a bill has:

1. Been tabled,
2. Been postponed indefinitely,
3. Failed to pass on any of its readings, or
4. Been placed on the unfavorable calendar,

the contents of that bill or the principal provisions of its subject matter shall not be considered in any other measure originating in the Senate or originating thereafter in the House. Upon the point of order being raised and sustained by the Chair, that measure shall be laid upon the table, and shall not be taken therefrom except by a two-thirds (2/3) vote of the members present and voting.

(b) No local bill shall be held by the Chair to embody the contents of or the principal provisions of the subject matter of any statewide measure which has been laid on the table, has failed to pass on any of its readings, or has been placed on the unfavorable calendar.

RULE 43. **Amendments.** No amendment to a measure before the House shall be in order unless the amendment is germane to the measure under consideration. A House amendment deleting a previously adopted House amendment shall not be in order, except that this sentence does not apply to amendments adopted under Rule 38(c).

If the Senate adopts an amendment or committee substitute to a House bill, the House may not refuse to receive the bill on account of lack of germaneness if the Senate has a similar rule.

Only one principal (first degree) amendment shall be pending at any one time. If a subsequent or substitute principal amendment shall be offered, the Speaker shall rule it out of order. However, any member desiring to offer a subsequent or substitute principal amendment in opposition to the pending amendment may inform the House by way of argument against the pending amendment that if it is defeated the member proposes to offer another principal amendment, and the member may then read and explain such proposed amendment.

Perfecting (or second degree) amendments may be offered and considered without

limitation as to number, and in the event of multiple perfecting amendments, they shall be voted upon in inverse order.

RULE 43.1. **Engrossment.** -- Bills and resolutions, except those making appropriations, which originate in the House and which are amended, shall be engrossed before being sent to the Senate.

RULE 43.2. **House Concurrence in Senate Amendments to House Bills.** -- The House shall not concur in a Senate amendment to a bill originating in the House until the next legislative day after the day on which the House receives the Senate amendment.

RULE 43.3. **Committee Substitutes Adopted by the Senate to Bills Originating in the House; Procedure for Treatment of Material Amendments Thereto.** -- (a) Whenever the Senate has adopted a committee substitute for a bill originating in the House, and has returned the bill to the House for concurrence in that committee substitute, the House may not concur in that committee substitute until the next legislative day following the day on which the House receives that committee substitute.

(b) The Speaker may, and upon motion supported by a majority of the House present and voting shall, refer the bill to an appropriate standing committee for consideration of the committee substitute.

(c) The Speaker shall, in placing the bill on the calendar, rule whether the committee substitute is a material amendment under Article II, Section 23 of the State's Constitution which reads:

"**Revenue bills.** -- No law shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State, or to allow the counties, cities, or towns to do so, unless the bill for the purpose shall have been read three several times in each House of the General Assembly and passed three several readings, which readings shall have been on three different days, and shall have been agreed to by each House respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal."

If the committee substitute was referred to standing committee, the standing committee shall:

1. Report the bill with the recommendation either that the House concur or that the House do not concur; and
2. Advise the Speaker as to whether or not that committee substitute is a material amendment under Article II, Section 23 of the State's Constitution.

(d) If the committee substitute for a bill is not a material amendment, the question before the House shall be concurrence.

(e) If the committee substitute for a bill is a material amendment, the receiving of that bill on messages shall constitute first reading and the question before the House shall be concurrence on second reading. If the motion is passed, the question then shall be concurrence on third reading on the next legislative day.

(f) No committee substitute adopted by the Senate for a bill originating in the House may be amended by the House.

RULE 44. **Conference Standing Committees.** -- (a) Whenever the House shall decline or refuse to concur in amendments put by the Senate to a bill originating in the

House, or shall refuse to concur in a substitute adopted by the Senate for a bill originating in the House or whenever the Senate shall decline or refuse to concur in amendments put by the House to a bill originating in the Senate, or shall refuse to concur in a substitute adopted by the House for a bill originating in the Senate, a conference committee may be appointed by the Speaker upon the Speaker's own motion or shall be appointed upon request by the principal sponsor of the original bill, the Chair of the House standing committee which reported the bill, or by the sponsor of the amendment in which the Senate refused to concur; and the bill under consideration shall thereupon go to and be considered by the joint conferees on the part of the House and Senate. In appointing members to conference committees, the Speaker shall appoint no less than a majority of members who generally supported the House position as determined by the Speaker.

(b) Only such matters as are in difference between the two houses shall be considered by the conferees, and the conference report shall deal only with such matters. The conference report may be made by a majority of the House members of such conference committee and shall not be amended.

(c) If the conferees fail to agree, new conferees may be appointed. However, if either house refuses to adopt the report of its conferees, the Speaker may appoint new conferees.

(d) No vote shall be taken on adoption of a conference report until the next legislative day following the report.

RULE 44.1. **Transmittal of Bills to Senate. --** Unless ordered by the Speaker or two-thirds (2/3) vote of the members present and voting, no bill shall be sent from the House on the day of its passage, except on the last day of the session.

VII. Legislative Officers and Employees

RULE 45. **Elected Officers. --** (a) The House shall elect one of its members Speaker.

(b) The House shall elect one of its members Speaker Pro Tempore who shall perform such duties as the Speaker may assign and shall preside over the House in the absence or incapacity of the Speaker and shall perform all of the duties of the Speaker until such time the Speaker may assume the Chair.

(c) The House shall elect a Principal Clerk, who shall continue in office until another is elected. The Speaker shall appoint a Reading Clerk and a Sergeant-at-Arms, who shall serve at the Speaker's pleasure. The Principal Clerk, Reading Clerk, and Sergeant-at-Arms shall have and perform duties and responsibilities, not inconsistent with these Rules, as the Speaker may assign. In addition, the Sergeant-at-Arms may assign the Reading Clerk additional duties, to be performed while the House is not in its daily session.

RULE 46. **Assistants to Principal Clerk and Sergeant-at-Arms. --** The Principal Clerk and the Sergeant-at-Arms may appoint, with the approval of the Speaker, such assistants as may be necessary to the efficient discharge of the duties of their respective offices.

RULE 47. **Speaker's Clerk, Chaplain, and Pages. --** (a) The Speaker may appoint one or more clerks to the Speaker, a Chaplain of the House, and pages to wait upon the sessions of the House.

(b) When the House is not in session, the pages shall be under the supervision of the Supervisor of Pages.

(c) No member may have more than 10 persons designated as honorary pages.

RULE 48. **Clerks and Secretaries.** -- (a) Each standing committee and permanent subcommittee shall have a clerk. The clerk to a standing committee or permanent subcommittee shall serve as secretary to the Chair of the standing committee or permanent subcommittee.

(b) Each member shall be assigned a secretary, unless the member has a standing committee or permanent subcommittee clerk to serve as secretary.

(c) The selection and retention of clerks and secretaries shall be the sole prerogative of the individual member or members. Such clerks and secretaries shall file initial applications for employment with the Principal Clerk and shall receive compensation as prescribed by the Legislative Services Commission. The employment period of clerks and secretaries shall commence not earlier than the convening date of the General Assembly and shall terminate not later than the final adjournment or recess of the General Assembly unless employment for an extended period is approved by the Speaker. The clerks and secretaries shall adhere to such uniform rules and regulations not inconsistent with these Rules regarding hours and other conditions of employment as the Legislative Services Commission shall fix by appropriate regulations.

RULE 49. **Compensation of Clerks and Secretaries.** -- No clerk, laborer, or other person employed or appointed under Rules 47, 48, and 49 hereof shall receive during such employment, appointment, or service, any compensation from any department of the State government, and there shall not be voted, paid, or awarded any additional pay, bonus, or gratuity to any of them; but they shall receive only the pay now provided by law for such duties and services.

VIII. Privileges of the Hall

RULE 50. **Admittance to Floor.** -- No person except members, officers, and employees of the General Assembly and former members of the General Assembly who are not registered under the provisions of Article 9 of Chapter 120 of the General Statutes of North Carolina shall be allowed on the floor of the House during its session, unless permitted by the Speaker or otherwise provided by law. Employees of the General Assembly shall wear identification tags, approved by the Legislative Administrative Officer, when on the floor of the House.

RULE 51. **Admittance of Press.** -- Reporters wishing to take down debates may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect this object, as shall not interfere with the convenience of the House. Reporters admitted to the floor of the House shall observe the same requirements of attire for members contained in Rule 12(h).

RULE 52. **Extending Courtesies.** -- Courtesies of the floor, galleries, or lobby shall be extended at the discretion of the Speaker and only by the Speaker. Requests by members to extend these courtesies shall be typewritten and delivered to the Speaker. No member shall orally ask the Speaker to extend these courtesies during the daily session.

RULE 53. **Order in Galleries and Lobby.** -- In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker or other presiding officer is empowered to order the same to be cleared.

IX. General Rules

RULE 54. **Attendance of Members.** -- No member or officer of the House shall absent himself from the service of the House without leave, unless from sickness or

disability.

RULE 55. **Documents to Be Signed by the Speaker.** -- All acts, addresses, and resolutions and all warrants and subpoenas issued by order of the House shall be signed by the Speaker or other presiding officer.

RULE 56. **Printing or Reproducing Materials.** -- There shall be no printing or reproducing of paper(s) that are not legislative in essence except upon approval of the Speaker.

RULE 57. **Placement or Circulation of Materials.** -- Persons other than members of the House shall not place or cause to be placed any materials on members' desks in the House Chamber without obtaining approval of the Speaker. Any material placed on members' desks in the House Chamber, or circulated to House members anywhere in the Legislative Building or the Legislative Office Building, shall bear the name of the originator.

RULE 58. **Rules, Rescission and Alteration.** -- (a) These rules shall not be permanently rescinded or altered except by House simple resolution passed by a two-thirds (2/3) vote of the members present and voting. The introducer of the resolution must on the floor of the House give notice of intent to introduce the resolution on the legislative day preceding its introduction.

(b) Except as otherwise provided herein, the House upon two-thirds (2/3) vote of the members present and voting may temporarily suspend any rule.

RULE 59. **Cosponsorship of Bills and Resolutions.** -- (a) Any member wishing to cosponsor a bill or resolution which has been introduced may do so by appearing in the office of the Principal Clerk for such purpose within one-half hour following the adjournment of the session during which such bill or resolution was first read and referred.

(b) No member shall permit anyone, other than that member's secretary or clerk, or another member, to have possession of and solicit for bill or resolution cosponsorship, the jacket of a bill or resolution.

RULE 60. **Correcting of Typographical Errors.** -- The Legislative Administrative Officer may correct typographical errors appearing in House bills or resolutions provided that such corrections are made before ratification and do not conflict with any actions or rules of the Senate and provided further that such correction be approved by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, the Speaker, or other presiding officer.

RULE 61. **Assignment of Seats.** -- After initial assignment of seats, a member shall continue to occupy the seat to which initially assigned for the entire biennial session. In event of vacancy, that member's successor will occupy the seat of the member replaced for the remainder of the biennial session.

RULE 61.1. **Office Assignments.** -- The Chair of the Standing Committee on Rules, Calendar, and Operations of the House shall assign to each member an office space. When available, Chairs of standing committees and permanent subcommittees shall be assigned an office adjacent to the room in which the standing committee or permanent subcommittee generally meets if the Chair so desires. The Speaker shall be assigned an office of his or her choice.

RULE 61.2. **Convening and Assigning Seats in the New House.** -- (a) The Principal Clerk of the previous House of Representatives shall convene the House of Representatives at 12:00 noon on the date established by law for the convening of each

regular session, and preside over the body until the members elect a Speaker. In the case of a vacancy, inability, or refusal to so serve, the duty shall devolve upon the sergeant-at-arms of the prior House, and in the case of a vacancy in that office, or inability or refusal to so serve, the duty shall devolve upon the reading clerk of the prior House.

(b) It shall be the duty of the Chair of the Standing Committee on Rules, Calendar, and Operations of the House of the prior House to assign seats to the members of the House of Representatives in its Chamber. In the case of a death of the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, or that Chair's inability or refusal to serve, the Speaker of the prior House of Representatives shall appoint a person to assign seats to members of the House of Representatives in its Chamber. In the event that the party that had a majority of members in the prior House will no longer have a majority of members of the new House, then the duty assigned in this subsection to the chair of the committee of the prior House shall instead be the duty of the person nominated as Speaker by the majority party caucus for the new House, or some member-elect designated by the Speaker-nominee. In the event no party will have a majority, then the duty assigned in this subsection to the chair of the committee of the prior House shall instead be the joint duty of one person chosen each by the caucuses of the two parties having the greatest numbers of members.

RULE 62. **Matters Not Covered in These Rules.** -- Except as herein set out the rules of Mason's Manual of Legislative Procedure shall govern the operation of the House.

Sec. 2. This resolution is effective upon adoption.

H. R. 126, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

Be it resolved by the House of Representatives:

Section 1. The following procedures for nominating and electing eight members of the Board of Governors of The University of North Carolina (hereinafter the "Board of Governors") are adopted:

I. COMMITTEE RESPONSIBILITIES.

1. It is the duty of the Committee on Education of the House of Representatives (hereinafter the "Committee") to conduct a process for nominating and electing persons for each opening in each category of seats on the Board of Governors to which the House of Representatives is to elect members. The Chair of the Committee may refer any of the Committee's responsibilities under this resolution to the Subcommittee on Community Colleges and Universities.

2. The Committee shall receive nominations for election to the Board of Governors through February 22, 1995. Each Representative may nominate up to two persons. In order for a person to have standing as a nominee, that person must be formally nominated by a member of the House of Representatives. Only a written nomination on a form provided by the Chair of the Committee for that purpose and received in the office of the Chair of the Committee by 12:00 noon on February 22, 1995, shall constitute a nomination. An individual cannot be a nominee or be nominated in more than one category. An individual is not eligible for nomination if he or she was nominated and not elected to the Board of Governors by the Senate during the 1995 Session.

3. A Representative may nominate persons only for the categories available for election by the House of Representatives. In the 1995 Session, the House of Representatives will elect:

(a) Two members of the minority race category, for four year terms;
(b) Two members of the woman category, for four year terms; and
(c) Four members of the at-large category, for four year terms.

4. On or after February 23, 1995, the Committee shall list all nominees by category. The Committee shall screen the nominees as to their qualifications, experience, opinions, and statutory suitability. The Committee may screen nominees by interviewing, or by soliciting written information, or by both means. On completion of the screening process, the Committee shall conduct a vote to ensure that the slate of legally qualified candidates lists no more than twice the number of candidates for the total seats open in each category. After the slate is determined by this vote, the members of the Committee shall vote for their preferences in each category.

5. Each nominee shall confirm his or her willingness to serve if elected. Any nominee may withdraw without the approval of the sponsor.

II. ELECTIONS IN THE HOUSE OF REPRESENTATIVES.

1. A ballot shall be prepared under the supervision of the Chair of the Committee for the use of the House of Representatives. The ballot shall include no more than twice the number of legally qualified candidates for the total seats open in each category and shall indicate the results of the Committee's votes for the information of the members of the House of Representatives.

2. The names of the nominees shall be arranged on the ballot (a) by

category and (b) within each category, ranked in decreasing order by the number of votes received from the members of the Committee, beginning with the nominee who received the highest number of votes.

3. The House of Representatives shall hold its election no later than the beginning of the daily session on March 23, 1995. Before the voting begins, the Speaker of the House of Representatives shall explain the voting rules, which are:

(a) No nomination shall be received from the floor.

(b) In order to be elected, a nominee must receive the votes of a majority of all members present and voting in the nominee's category.

(c) Each member present and voting shall vote for as many nominees as there are positions to be filled in each category.

(d) When fewer than two nominees in the minority race or woman categories, or fewer than four nominees in the at-large category, receive the votes of a majority of all members present and voting for positions in those categories, a runoff to fill the open position or positions shall be conducted among the nominees who were not elected but who received the highest number of votes cast in each category; and the number of nominees eligible to be voted on in the runoff shall be twice the number of positions to be filled.

(e) If there is a tie for the last position between two nominees who are eligible for the next runoff, both nominees shall be included in the next runoff balloting, even though there would be more than two nominees per available position.

(f) When more than two nominees in the minority race or woman categories, or more than four nominees in the at-large category, receive the votes of a majority of all members present and voting for positions in those categories, then the two nominees in the minority race category, the two nominees in the woman category, and the four nominees in the at large category receiving the highest number of votes in the category shall be deemed to have been elected.

4. The members of the House of Representatives shall proceed to mark their ballots for the following:

(a) Two persons in the minority race category, for four year terms;

(b) Two persons in the woman category, for four year terms; and

(c) Four persons in the at-large category, for four year terms. Every ballot shall be signed by the member of the House of

Representatives casting it, and no unsigned ballots shall be counted.

5. The Chair of the Committee is responsible for canvassing the vote and declaring the results and may designate members of the Committee to assist. All ballots shall be retained by the Principal Clerk as part of the permanent records of the House of Representatives and shall be open for immediate public inspection.

6. When the Chair of the Committee has determined that the House of Representatives has elected two members from the minority race category, two members from the woman category, and four members from the at-large category to the Board of Governors for terms of four years, the Speaker of the House of Representatives shall declare those eight persons to have been elected by the House of Representatives to the indicated positions and for the indicated terms.

7. The results of the election in the House of Representatives shall then be sent by Special Messenger to the Senate.

III. NOTIFICATION OF ELECTION RESULTS.

When the election process is complete, the Chair of the Committee shall notify the Secretary of the Board of Governors of the names of the persons elected by the House of Representatives and the category and term for which each person was elected.

Sec. 2. This resolution is effective upon adoption.

H. R. 209, A HOUSE RESOLUTION INVITING MISS HEATHER WHITESTONE, MISS AMERICA 1995, TO ADDRESS THE HOUSE OF REPRESENTATIVES.

Be it resolved by the House of Representatives:

Section 1. Miss Heather Whitestone, Miss America 1995, is invited to address the House of Representatives in the Hall of the House of Representatives at 3:30 p.m., Wednesday, April 19, 1995.

Sec. 2. The Principal Clerk shall transmit a certified copy of this resolution to Miss Heather Whitestone.

Sec. 3. This resolution is effective upon adoption.

H. R. 688, A HOUSE RESOLUTION TO ESTABLISH THE HOUSE SELECT INVESTIGATIVE COMMITTEE ON CERTIFICATES OF NEED.

Be it resolved by the House of Representatives:

Section 1. In accordance with House Rule 26(a), there is established the House Select Investigative Committee on Certificates of Need.

Sec. 2. The House Select Investigative Committee on Certificates of Need shall investigate:

(1) The statutes relating to issuance of Certificates of Need under Article 9 of Chapter 131E of the General Statutes, and whether those statutes need amending; and

(2) The process by which Certificates of Need have been issued by the executive branch, and whether any reforms of such procedures are necessary on account of results found in the investigation.

Sec. 3. The House Select Investigative Committee on Certificates of Need shall be considered a committee for the purposes of Articles 5 and 5A of Chapter 120 of the General Statutes.

Sec. 4. This resolution is effective upon adoption.

STATE OF THE STATE ADDRESS

Governor Jim Hunt
February 9, 1995

"Mr. President, Mr. Speaker, Mr. President Pro Tem, Members of the Council of State and the Cabinet, Justices of the Supreme Court, Judges of the Court of Appeals, and members of the General Assembly.

"I want to begin by introducing some people who are sitting in the galleries with the First Lady and you can hear some of them.

"You won't recognize their names. They aren't famous. They haven't been in the news.

"But they are the most important people here today.

"They are the citizens of North Carolina. They are the taxpayers. They

are the reason we are here.

"First is Pamela Cross and her boys, Jacob and Stephen and I want them to stand up, if they will. Pamela works for an insurance company in Charlotte.

"Next are Brent and Sheila Gerald from Greensboro. He is a firefighter, and she is at home with their daughter, Alexandria.

"Then there are George and Evelyn Schnupp, who retired to New Bern after running a marina and boat yard in New York.

"And then there are the Williams family -- Franklin and Jo Ann, with their daughters Laura Jane and Mary Elizabeth. Franklin is a farmer in Duplin County, and Jo Ann works as a home economics extension agent.

"Then there's a wonderful North Carolinian, Jessie Copeland. Jessie is a 71 year-old great grandmother here in Raleigh who's working to make Chavis Heights a place where children can be safe.

"And next are the Bartolos. Staff Sergeant Bartolo is stationed at Fort Bragg, and his wife Petra who used to be in the military is working toward her college degree and caring for their sons, Anthony and Nicholas.

"Let's welcome these families to their state capital.

"Now I introduce these people today to make a point.

"For the last three months, Election Day has been the issue for most of us in this Chamber. We care a lot about what happened and why and what it means and what this session is going to be like.

"But these people care a lot more about their families and their future than they do about our politics. They care about their jobs, the safety of their families and the education of their children.

"And that's, folks, what we should care about this year.

"Our job is to put these people first -- and our politics last.

"Our job is to move beyond campaign rhetoric and partisan turf-fighting.

"Our job is to find common ground here where we can discuss important issues on their merit. Where we can listen to each other and learn from each

other.

"You and I may never get another chance like this one to build a better future for North Carolina.

"Let's make up our minds today that we're going to do what's right for these people and all the people of North Carolina.

"Now we're building a better future in North Carolina today because of what the General Assembly did in the last two years, Democrats and Republicans together:

- tough laws against crime and smart programs to prevent crime.
- an aggressive economic development strategy,
- smaller classes, better teaching and higher standards in the public schools and better early childhood education.
- a bond issue that is building new libraries and classrooms and labs and other facilities in our universities and community colleges.

"And, folks, all of that was done without raising taxes.

"Democrats and Republicans built that foundation.

"This year let's work together to build a better future.

"Let's make this a productive session. Let's concentrate on doing three things:

"First, cut taxes.

"Second, fight crime.

"Third -- and most important -- help the children of North Carolina.

"We should cut taxes because it's the right thing to do.

"It's the right thing for our economy. It's the right thing for the record

number of men and women who have jobs in this state today. And it's the right thing for their children.

"So let's give the most tax relief to the hard-working families of our state who deserve it the most.

"I have proposed a $483 million tax cut. Three-fourths of it would go to families like these, because working families raising children need the most help.

"We should raise the personal exemption for every member of a household by $500. We should create a tax credit of $50 per child. And we should remember that these families need the money.

"The Geralds need the money -- they want to put their tax savings toward Alexandria's college education. Pamela Cross needs the money. She needs it for food and clothing for her two boys, and maybe a few extras like a baseball glove or karate lessons.

"We should also make tax cuts that will build our economy and build our children's economic future.

"North Carolina's already one of the best places in the country to live and do business. This year we can make it even more attractive and more competitive.

"We should repeal the intangibles tax on stocks and bonds, so George and Evelyn Schnupp can have a little more in their retirement years. We should reduce the corporate income tax, and we ought to pass it this year so we can use it right now to recruit business and jobs to North Carolina.

"Now, this is a big tax cut -- nearly half a billion dollars.

"It will require tough choices and new priorities. And it must be done with the help and involvement and participation of state employees, who care just as much as we do about giving taxpayers their money's worth.

"It won't be easy.

"But we can do it, because state government can get by with less.

"And we ought to do it, because these families and their children deserve it.

"We should continue our efforts to fight crime because it's the right thing to do.

"It's the right thing for the law-abiding people who are the backbone of our state. And it's the right thing to do for their children.

"Children can't learn in schools that aren't safe. Families can't live in neighborhoods that aren't safe. Our state won't ever be safe if more and more young people get involved in drugs and crime.

"Even in small towns like Wallace, crime is a problem. Franklin and Jo Ann Williams know that. Franklin is the treasurer at his church. Thieves broke into their house last summer and stole the church collections. Now, the Williams weren't home at the time, so they weren't hurt. But a lot of victims aren't that lucky.

"We need to do a lot more to help keep communities safe -- in Duplin County and all over North Carolina.

"I believe fighting crime starts with tougher sentences for violent criminals. When a dangerous criminal is locked up behind bars, every North Carolinian is safer.

"So we should pass longer sentences for violent crimes, like second-degree murder, and rape, and armed robbery and other felonies. I will propose increasing the sentences for those crimes by 30 percent.

"We need to build more prisons, and we need to find faster and cheaper ways to do it. My budget will propose some 2,000 more prison beds over the next two years, part of a plan to build more than 4,000 new beds in four years.

"We need to put more prisoners to work in North Carolina.

"We need to repeal the prison cap.

"We should pass a Victims Rights Amendment to our state Constitution. Because, if criminals have rights, then the victims of crime should have rights in North Carolina and I urge you to pass that.

"We should pass a law requiring registration of sex offenders and notifying communities where they live. Families have a right to know when dangerous sex offenders move in next door or down the street.

"We need to make all of our communities safer, and public housing communities need special efforts. They need more police officers and tougher laws to evict those who put their neighbors in danger.

"Jessie Copeland knows how important it is to get guns and drugs and dangerous people out of public housing.

"She has helped hundreds of young people stay out of crime, and more of us need to get involved in that. All of us -- not just government -- need to do more to prevent crime and keep a better eye on our children.

"That's what the SOS program is all about. That's what a lot of these people here today are about. They've been volunteering at their schools and churches. They've worked as Big Buddies and Big Sisters and mentors to troubled youth. This year, I've started volunteering in a Wake County SOS program, working with a young man here in Raleigh.

"I'm not proposing more tax dollars for this. But I am saying that we need more people and we need more volunteer time devoted to our children.

"Fighting crime will build a safer North Carolina. Cutting taxes will build a stronger economy and stronger families. We can do and should do more to build this state, however.

"We have to build up our children so they will be healthy and smart and productive and law-abiding citizens in the 21st Century.

"That means we have to make fundamental changes in our public schools so North Carolina's graduates will compete and succeed in the modern economy.

"We need to do five things, I believe, to make our schools better. Some of them will take legislation, and some of them can be done by the State Board of Education and the Department of Public Instruction. All of them will take hard work in every single school in this state.

"First, we must restore discipline and make our schools safe places to learn and teach. And I want us to do that this year.

"That means more support for principals and teachers to keep schools safe. More school resource officers on campuses. It means zero tolerance for guns, and drugs, and weapons. And zero tolerance for students who put others in danger in our schools. We've got to stop the violence.

"We should automatically expel those students who do that -- for up to a full year. But don't put them on the streets. Put them in alternative schools or even in education boot camps where they will learn to read and write and do math -- and do what they're told.

"Second, we must give teachers the tools they need to do their jobs. Next to parents, teachers are the most important influence on our children.

"Teachers need better pay. They need better training. They need more time for planning. And they need more of a voice in how our schools are run. Folks, if we want good schools in North Carolina we've got to have good teachers. And I want us to do more to help them.

"Third, we must go back to basics -- emphasizing reading, and writing and math.

"It's most important to do this in the early years, and smaller class sizes can help us to do it.

"Burke County has shown what can happen to test scores when class size is cut dramatically. And we can do that all across North Carolina.

"Last year, you in this legislature cut class size in kindergarten down to 23 students. This year we should do the same thing in the first grade, and we should give schools the flexibility, the local flexibility, to cut class size even more dramatically.

"If we let them, if we'll cut some of the rules and regulations, local schools can have one teacher for every 17 children in kindergarten through third grade. And then we'll really see progress in North Carolina's schools. Let's do that this year.

"Fourth, we must set higher standards for what our students should know and be able to do, so they graduate with the skills they need to be good workers and good citizens.

"Fifth, we must improve job training -- especially for the many young people who go straight from school to work. Schools and businesses must join together in new partnerships to help us do that.

"Now, to make these changes in our schools, we need more support for principals and teachers. We need more involvement by parents. And my budget will propose shifting millions of dollars from administration to local

schools, because I believe we need to spend less money in bureaucracy and more in the classrooms of North Carolina.

"We must build a better education system, and we must help build stronger families.

"That's why we need to scrap the present welfare system, and replace it with a system that works. A system that puts people to work. Requires personal responsibility. And protects children from poverty.

"We must teach children and teenagers what it takes to be a good parent and why they ought to wait until they're ready to take on those responsibilities.

"We must go after deadbeat dads--and moms. And I will ask you today to pass a tough child support enforcement law.

"We owe it to single mothers to see that fathers meet their obligations. And I want us to do whatever it takes. Let's take away their drivers licenses, their hunting and fishing licenses, their professional and business licenses. Let's track them down in ways they never dreamed of. Let's put their faces on wanted posters. We are going to see that parents support their children in the state of North Carolina.

"Building stronger families is critically important. But there is more that we can do.

"We can do more for children in those vital early years before they start to school.

"When I gave my inaugural speech two years ago, I said that if we want to change North Carolina, we have to start earlier.

"We're doing that now. We're doing it because of Smart Start, and we need to do more of it.

"The Bartolos can tell you what Smart Start is doing. They were worried about their little boy Nicky because at age 2, almost 3, he wouldn't talk. He wouldn't play or respond the way other children do.

"Three months ago, they found out about a Smart Start program in Fayetteville that helps children like theirs.

"The other day, I got a letter from Sergeant Bartolo. And he said in it that

Nicky has `really blossomed'. It was a wonderful letter and he ended his letter with this:

> `I see Nicholas developing more and more every day. The Smart Start program at Dorothy Spainhour is responsible for those developments. Nicholas is now going to have a chance to develop like other children his age. I am deeply indebted to Nicholas' teachers and the Smart Start program, which allowed the funding of this to occur. Where we have tried, Smart Start succeeded. Our heartfelt thanks'.

"Now that's just one story. There are thousands more like that folks.

"Because of Smart Start, people across North Carolina are working together to see that children get preventive health care and immunizations and vision screening and hearing checkups.

"Because of Smart Start, people are working together to see that there's good day care for every family that needs it.

"Because of Smart Start, business leaders and ministers and parents and teachers and elected officials and community leaders are working together. Doctors and dentists are giving their services to children.

"People who never talked to each other before are now working together.

"Democrats and Republicans are working together.

"Even Jim Hunt and Dave Flaherty are working together -- because of Smart Start.

"Now some of you know that over the last 20 years, Dave and I been on opposite sides in a lot of political battles. This year, we're on the same side -- because of Smart Start.

"Here is what Dave told the nation's governors about Smart Start last month.

> `This is the kind of approach that requires a new way of thinking and a new way of working. It requires new partnerships--between public and private sectors, between community interests, between political parties. It requires us to make changes in how we do things, so we can make

changes for our children.'

"That's what we have to do this year: make changes in how we do things, so we can make changes for our children.

"That's what Smart Start is about. It's not about Raleigh telling people what to do with a lot of rules and regulations. It's about people deciding what to do in their communities and working together to do it.

"Smart Start is helping children grow up healthy and able to learn. It's making schools better, so they really work when our kids get there. It's about making our state safer and making the economy stronger. It's about building our future.

"That's why I'm going to ask this legislature to keep Smart Start working in the 32 counties where it's working today.

"And that's why I'm going to ask you to expand it to 24 more counties in the next two years.

"As Dave Flaherty said, Smart Start is a new way of doing things. And we need new ways of doing things in North Carolina.

"New ways of building our economy and helping working people.

"New ways of protecting against crime.

"New ways of educating children and giving them a good start in life.

"New ways of government working together with the private sector, with the nonprofit sector, with communities and with people.

"We need a new approach for a new century.

"This is a time of great change. You can just look around this chamber and see that.

"The people of North Carolina aren't afraid of change. They want to know if we can change.

"They want to know if we can put aside partisanship and politics.

"They want to know if we can work together to build a better state and a

better future for our children.

"They're doing it. They're working together across North Carolina. And we can do it too.

"Let's resolve to do it this year. Democrats and Republicans together.

"Let's join hands to build a better state. Democrats and Republicans together.

"Let's build a better future--Democrats and Republicans together -- for these families and for all North Carolinians.

"Thank you very much."

STATE OF THE JUDICIARY ADDRESS

Chief Justice Burley B. Mitchell, Jr.
March 21, 1995

"President Wicker, Speaker Brubaker, President Pro Tempore Basnight, Speaker Pro Tempore Russell, Senators and Representatives, my fellow justices and judges, ladies and gentlemen.

"I thank you for continuing this important tradition of inviting the Chief Justice to address you on the state of the Judicial Branch and its needs. Regardless of the words spoken, my address here today serves to symbolize both the constitutional independence of the Legislative and Judicial Branches of our government and their practical interrelationship.

"Even though my tenure as Chief Justice is measured in weeks instead of years, I have quickly learned the magnitude of the increased responsibility I have assumed. After spending a quarter of a century as an elected district attorney, judge, or justice, I have come to the position of Chief Justice with some understanding of the importance and extent of the duties of our judges, prosecutors, and clerks of court. I quite frankly was not aware, however, of the breath and scope of the various programs not traditionally viewed as court functions which the General Assembly has assigned to the Judicial Branch in recent years. Since becoming Chief Justice in January, I have had to attempt to learn quickly about all of the problems and challenges facing the Judicial Branch.

"Like each of you, I have heard clearly the outcry of our citizens against crime and their frustrations with government's seeming inability to deal with it effectively. People are afraid for themselves and their families, and they have a right to be. Victims justifiably feel abused and ignored when they are not keep informed as to what is going on with the cases they are involved in. Witnesses justifiably feel mistreated when they are brought to court several times, only to see cases in which they are to testify continued without any apparent consideration being given to their schedules and needs. As I assume the duties of the office of Chief Justice, it becomes my responsibility to attempt to lead the Judicial Branch to begin to address these problems.

"It is crucial that the courts be responsive to the public's frustrations and fears. But it is equally important that we be honest with the public about the real limits of the power of the courts. Courts are neither the cause of nor the solution to most of society's problems. The work of our criminal courts, both in its makeup and volume, is largely controlled by the extent to which the strains of modern society have caused other institutions -- such as families, churches, schools, and social agencies -- to disintegrate or lose their effectiveness. Courts are the recipients of society's problems, not the cause of those problems. But it is important that those of us working in the courts be committed to helping solve those problems, and that we not make things more difficult for those involuntarily caught up in the system; this we are pledged to do.

"I have heard some characterize the courts as being in a state of crisis. I want to tell you now that I do not subscribe to that characterization. Our judges and district attorneys are among the most efficient in the United States. Every set of national statistics I've seen in the last decade has indicated that our prosecutors and judges dispose of more cases per capita than those in almost every state in the union. Every day, the business of the courts is being conducted in an orderly and fair manner for thousands of our citizens. But I am committed to directing the energies of all of us working in the courts to making improvements where they are needed.

"The crisis I believe that we do face is a crisis of confidence in the courts and other institutions of government. Sometimes, we let problems seem so large that we begin to believe they are insurmountable. We lose our resolve to come to grips with them. In such an environment, perception can become reality. If we let ourselves believe we can do nothing, nothing will be done. I do not want that to happen with the issues facing the courts. My intention is to have those of us working in the courts focus on those things that are within our control and make sure that we are putting the resources available to us to good use.

"We must plan ahead to ensure that our courts change to meet the future needs of North Carolina. There are a number of important efforts underway which can point us in the right direction. They include the North Carolina Commission on the Future of Justice and the Courts, chaired by John Medlin, as well as the Courts Commission and the Criminal Justice Integrated Information Network Commission, which you have created. The fact that these groups are addressing the long-term future of the courts will allow the Director of the Administrative Office of the Courts and me to work with our court officials in focusing our attention and energies on problems which must be dealt with immediately. I want to discuss some of those urgent and immediate problems with you now.

"One bill currently pending before you spans the gap between short-term and long-term issues facing our courts. You currently have pending before you a bill designated the Drug Treatment Court Act. That will create a statewide program to facilitate the establishment of local drug treatment courts to deal with addicted offenders. Many of these people can be saved by being put on deferred prosecution or on closely supervised probation which can be revoked if they do not respond to mandatory drug or alcohol treatment programs. Those who do not respond may then be imprisoned. The proposed act will allow us to save many salvageable people while preserving our limited prison space for those who really should be in prison.

"Alcohol and drug abuse have become so pervasive that they can now be said to be the major cause of crime in North Carolina, particularly violent crime. One-third of all felonies pending before our superior courts are drug charges. Additionally, most violent crimes involve defendants who are abusing alcohol or drugs or who are committing crimes to feed their habits. The proposed Drug Treatment Court Act represents a well thought out and very positive step in our efforts to get the problem of crime resulting from alcohol and drug abuse under control. I commend its sponsors and urge you to give it your most serious consideration.

"Other problems we face also must be addressed as quickly as possible. Our courts -- particularly our criminal courts -- are faced with extremely heavy caseloads. Our heavy caseloads are in large part a result of double-digit growth between 1988 and 1992. Eliminating our backlogs is vital if we are to improve the performance of our courts. Backlogs by definition should be the exception, not the norm.

"The Director of the Administrative Office of the Courts and I are in the process of identifying those locations where the backlog problem is most acute. We plan to work with local officials in those locations. We will

supplement their existing resources by assigning emergency judges and temporary personnel to help reduce their backlogs. The Conference of District Attorneys has taken the initiative in this regard by agreeing to assist their colleagues in problem districts by temporarily assigning them senior prosecutors to expedite the handling of their capital cases. And I commend the District Attorneys for their action in this regard.

"Additionally, I have exercised my authority as Chief Justice by reassigning all Resident Superior Court Judges to their home judicial districts, effective April 7, for the express purpose of determining the condition of the criminal Superior Court dockets in each county of the state. They will assess the adequacy of the number of criminal court sessions scheduled, in light of the pending cases, and they will recommend changes in the amount of court scheduled, if they think it appropriate. I am prepared to give priority to our criminal dockets for the immediate future, if the Senior Resident Judges report that the backlog situation warrants such emergency action.

Large backlogs breed unnecessary delay in disposing of court cases. Unnecessary delay breeds unfairness, inefficiency, increased expense, and loss of confidence in our courts. I am optimistic that by concentrating on backlog reduction, we will produce concrete results. The public is entitled to have cases decided by our courts in a reasonable period of time. We in the courts must use the existing resources you provided us to meet that goal. And, I am absolutely committed to seeing that we do so.

"I think I should mention at this point that I am aware, very aware, of the perception held by many that our courts are not in session long enough and that our judges do not work long enough hours. Several, more than several, of you have shared your thoughts and those you have received from your constituents on this point with me, and I greatly appreciate your doing so. I hope you will continue to call such specific complaints to my attention, and I assure you that I will follow up on them to the extent that I have the power to do so.

"It should be remembered that, like you, our judges are independent elected officials. Just as it would be unfair to make a judgment about how hard you work based solely on the highly visible work you conduct in these chambers when the Senate and the House are in session, it would also be wrong to make a judgment as to how hard judges and other court officials work based solely on the work they do in the courtroom during open sessions of court.

"Nevertheless, I agree with the view many of you have expressed to me

to the effect that judges should be in the courthouse during ordinary working hours from Monday through Friday. If court breaks down due to an inadequate calendaring of cases, judges should remain in the courthouse and initiate efforts to have cases ready for trials or for pleas brought before them. Failing that, they should seek to determine whether there are pending motions which they may deal with on short notice. I have addressed these very points with many of our judges recently, in person and in writing. I believe they are committed to redoubling their efforts to ensure that the work of the courts is done and that the public perceives that it is being done in an efficient and timely fashion.

"I very much want you legislators to have an accurate understanding of what the court officials in your districts do. I know you are all terribly busy right now, but within the next few months, I plan to initiate a program whereby the judges from your districts will invite each of you to spend a day or more with them as they perform their duties. It never ceases to amaze me how much actual work our trial judges do, often under frustrating and inadequate working conditions. The purpose of this program will be to inform you as to what judges do, but also to give them an opportunity to learn about some of the frustrations and difficulties that you as legislators face. And, I will encourage each of you to take advantage of this program.

"Like you, I receive questions and complaints every day about the seemingly endless delays at every stage of capital murder cases. As most of you know by now, much if not most of the delay in capital cases occurs during the hearings of the seemingly endless petitions and appeals taken in federal courts. Neither you nor I can do much about this problem, but I know that the Governor, the Attorney General and certain members of our congressional delegation are attempting to change this state of affairs at the federal level. You and I must leave that effort to them, however, and turn our attention to attempting to improve the state system for handling capital cases. Although I think we should make no apologies for ensuring that capital cases -- above all others -- are conducted at every stage in a thorough and fair manner, it is apparent to me that many of the delays arising in our state courts in these cases add nothing to the quality of justice and are unnecessary from a constitutional standpoint. We can and we must do better.

"I am informed that certain proposed legislation is before you or soon will be introduced to address some of the delays in capital cases. For example, I understand that you will be called upon to consider whether to remove the requirement that the Supreme Court of North Carolina conduct what is know as `proportionality review'. This is a process statutorily mandated by you in which the Supreme Court, in effect, `second-guesses' a jury which has

recommended the death sentence. If we believe the death penalty is disproportionate, we are required by the statute to strike the death penalty which has been recommended by the jury and substitute a life sentence. This process has become so complex that we have developed a special computer program to assist us in our review. Removing the requirement of proportionality review would no doubt reduce the time it takes our Court to render an opinion in each capital case.

"Other proposals are currently before you which would require that motions for appropriate relief filed after conviction, sentence, and appeal in capital cases be calendared and heard in a reasonable time. Executions cannot be carried out while such motions are pending. In the past, many such motions in capital cases were not disposed of quickly, because no one had clear responsibility for seeing that they were calendared for hearing. Bills pending before you which would require rapid calendaring of those motions for hearings could reduce the average time between the entry of a defendant's sentence of death and the actual execution by as much as three years according to our statistics.

"I need to remind you at this point that all capital cases are appealed directly to the North Carolina Supreme Court. The increase in the number of cases has placed increasing burdens upon us. In 1991, there were fifteen new appeals in capital cases filed in our Court; by 1994, the number of new capital appeals for the year had risen to forty. This represents an increase of 166% in the number of capital appeals filed from 1991 to 1994.

"We are committed to doing our part in making the system work. In 1994, the North Carolina Supreme Court heard oral arguments in a total of 133 cases. We have decided that we will work through ordinary breaks in 1995 so that we may increase our workload. We are currently scheduled to hear oral arguments in a total of 248 cases this year. This will increase the number of cases we hear in 1995 by 86% over the previous year. I think you can see that we will be straining to do our part to insure that cases reach finality in a reasonable time.

"Our plans to hear more cases on appeal this year will not have much impact on the number of pending appeals in capital cases, however, unless we are able to focus our attention on those cases. You can help us in this regard. I ask that you give serious consideration to proposals to remove the automatic right of appeal to the Supreme Court in every case in which there is a dissent in the Court of Appeals. Many of those cases do not involve issues of any real consequence and have no business before our Court. Nevertheless, they are automatically appealable to our Court, and the litigants in those cases are given

the same amount of time for argument that litigants in capital cases enjoy. We can no longer enjoy the luxury of such appeals as a matter of right, and I do not believe that they add substantially to the quality of justice. If serious issues are presented in such cases, we will still be able to grant review in our discretion.

"Another proposal which would help us to speed up pending capital appeals is a proposal that first-degree murder cases resulting in sentences of life imprisonment be appealable to the Court of Appeals, with no absolute right of further appeal to the North Carolina Supreme Court. Removing those appeals of right from our docket would give us time to consider and dispose of an equal number of capital cases from our pending backlog.

"Whether to adopt the proposals I have discussed is a decision left by our State Constitution to you, the members of the General Assembly. But should all of the proposals I have discussed be adopted by you, I believe we will be able to reduce the average time from the commission of a murder to the execution of a convicted defendant from the current average of more than ten years to something near the average of six years, which has been recommended by the American Bar Association. With your help, we shall begin.

"Many of the initiatives advanced in the coming days of this legislative session will impact the courts directly. If we are to ensure that our courts do justice in a fair, timely, and efficient manner, the impact of proposed legislation must be carefully assessed. Expanding victims' rights or establishing statutory limits for handling cases without providing the resources to implement such policies amount to unfunded mandates. Because the courts cannot control the number of cases coming to them, such unfunded mandates inevitably lead to further delay and court backlog -- the very thing we all want to eliminate.

"The Director of the Administrative Office of the Courts is presenting our budget requests to your appropriations committees, but I would like to make just a couple of comments about our needs. Our budget request is an attempt to provide an honest assessment of the minimum we think is necessary to do the job presently defined for us by you and to provide the services the public rightly demands. I should tell you that there are those within the Judicial Branch who believe that we have undershot the staffing needs in certain areas.

"Specifically, the District Attorneys believe that the demands they must meet justify funding for considerably more personnel than this State has traditionally provided them; they make a rather strong argument for their

position. To make an intelligent decision as to how many prosecutors are needed is for you to decide.

"I do not believe it would be appropriate for me to answer such questions for you, as they are particularly within the province of the Legislative Branch under our system of government. I do remind you, however, that funding for the courts is not optional. Article IV of the State Constitution expressly provides that you are to pay for the operation of the Judicial Branch from state funds. So, I urge you to be aware of the costs associated with any changes in the operation of the courts you are considering adopting.

"Since the adoption of the North Carolina Constitution of 1868, our judges have been elected to office in partisan elections. Many of us have long sought to change this system. However, the current system served us reasonably well for more than 100 years. During those years, a person who was initially appointed to a vacancy might expect to have one contested election. If the judge won that election, it was rare for the judge ever to face another contested election. While, arguably, the threat of an election opponent kept our judges reasonably humble, the exceptionally small number of contested elections gave our system stability. This allowed judges to enter a career in the judiciary with some certainty that they could complete that career if they were professionally competent and temperamentally suited to the position. We have been blessed under our current system with a judiciary which has been almost totally free of any form of corruption. To the best of my knowledge, only one judge in the history of this State has ever been found to have accepted a bribe or otherwise been financially corrupt; that occurred within the last decade and should be viewed as a wake-up call for all of us.

"For a little more than a decade now, however, strongly contested partisan judicial elections have been commonplace. Partisan judicial elections have become more and more expensive and time-consuming and now regularly put tremendous pressure on individual judges and on the court system as a whole. Current trends toward politics dominated by narrow special interests have brought our judges under increasing pressure to give advance commitments to enter rulings desirable to special interest groups. So far, I am proud to say that I believe our judges have avoided this temptation uniformly; I am sorry that I cannot promise that this will always be so.

"Further, it is now clear that partisan elections are directly interrupting the work of the courts and slowing our disposition of cases. For example, the North Carolina Supreme Court was required to cancel November and December court in 1994 after two justices were defeated and the Chief Justice announced his retirement. Such cancellations have occurred three times in the

Supreme Court during the last ten years as Democrats swept Republicans from the Court and the Republicans returned the favor. The experience in the Court of Appeals has been much the same. I do not mean to criticize any individual when I say that this state of affairs has not served the courts or the public well. We simply need to change the system.

"Last fall, the North Carolina Judicial Conference -- an organization comprised of all of the judges in the State -- adopted a resolution endorsing an appointive system for judges; only two judges voted no. More recently, it has appeared that adoption of a nonpartisan election system for judges might be a more realistic goal in this session of the General Assembly. As a result, we polled the judges of this State, asking them whether they would favor a change to a nonpartisan system for the election of judges over our current partisan system. The responses indicated that 72% of our Superior Court Judges and 64% of our District Court Judges prefer a nonpartisan system of judicial elections over the current system.

"I think you may face a unique but brief opportunity to change our system for the good of the State in this century. The most recent elections have made it clear that we are going to have a bipartisan judiciary in North Carolina. At this particular moment in history, we cannot know which party will be most benefited by any change in our system of judicial selection and retention. This state of affairs should give all concerned added incentive to ignore partisan political considerations and to adopt a system for the selection and retention of judges that will be in the best interest of all the people of North Carolina. My hope is that the result will be a system which provides stability once a qualified judge is in office and which encourages well-qualified Republicans and Democrats to seek a career in the judiciary. Such a system should give Republican and Democratic judges alike reasonable assurance that they will be retained in office if they perform well and that they will not be subject to constant partisan attacks.

"I hope that, at the very least, you will adopt bills which provide that judges running for election immediately after having been appointed will be elected to full terms of office and not just to the remainder of the term of the office to which they have been appointed; this one small change would provide some additional stability to our judiciary without making any significant change in the basic manner by which judges are selected or retained. But, I strongly urge you to take advantage of this unique and perhaps fleeting moment in our history by going further and adopting some form of retention system for judges that will not constantly subject them to the ebb and flow of pure partisan political tides.

"In closing, I want to say that I am proud to be a North Carolinian and very proud to serve as a member of the judiciary of this great State. When we look at the challenges facing the courts, it is tempting to blame `the system'. But those who rush to this conclusion should first take stock of all that is right with our courts in North Carolina.

"Our uniform court system, created by this body in 1962 is admired by other states and nations. The Constitution of the former Soviet Union provided more individual rights than the Constitution of the United States. The laws of the Soviet Union also contained an endless litany of individual rights. But today, delegations from the former Soviet Republics and other nations around the world are visiting North Carolina regularly and trying to copy our form of government under law. They all have the same question: `How do you make your laws work so that the rights guaranteed your people are carried into effect?' The answer is simple but profound; we have genuine, enforceable rights because, we have an independent judiciary to enforce the rule of law. It is ironic that precisely at the time the world has come to appreciate the critical role of our independent judiciary in making our constitutional form of government come alive, our courts are coming under attack here at home. Our court system is not perfect, but it is the best in the world.

"I want to express my appreciation now to each of you for the very important and stressful work you do. I particularly want you to know that I am anxious to work with all members of both parties in both chambers of this General Assembly. I intend to take a positive and nonpartisan approach in dealing with the common challenges we face, and I am confident that you will respond in kind. I look forward to working with each of you, and I thank you for your kind attention to these remarks today. Thank you."

MISS AMERICA 1995 SPEECH

Miss Heather Whitestone
April 19, 1995

"Thank you.

"I have to confess this, I am nervous because I have never done this before. Normally, I give speeches almost every day, but this is unusual and also you have more wisdom than I do. So you make me nervous when I give a speech, but I am honored to be here before the General Assembly and I also

want to thank Governor Jim Hunt for inviting me here.

"Being Miss America means being a spokesperson for her platform. And of course, as he said before, STARS is my platform. Anything is possible. A star has five points which makes it easy for people to remember these five important steps. I live with it and experience it. It's having a positive attitude. We all have the same heart and mind and I really believe negative thinking is the greatest disability in our country because it is my attitude that can prevent me from succeeding, from speaking, from dancing, and winning Miss America.

"The second point is I have a dream and some of us don't know our true dreams and that is OK. And I have to be honest, I was determined to be an accountant for the first three years of my college. Now, after traveling as Miss America for eight months, I am not sure if I want to be an accountant because I have seen so many opportunities that I want to do, but, at the same time, I believe our dream is to have an education. If I am well educated, it would be harder for other people to take advantage of me or make me feel less supported.

"The third point is a willingness to work hard. We all know that.

"The fourth point is face our problems and Helen Keller said it best. She said 'know your problems, but don't let them master you, let them teach you patience, sweetness, and kindness because we never know what miracles we will bring in other people's lives or in your life'. Helen Keller was from Alabama. She was my role model. She was both deaf and blind.

"The fifth point is to build a support team. I need a team now, everyday. Everybody needs a support team, but I believe the parents and the teachers are the strongest members of this support team because they are role models for young people everyday. And that is what my STARS program is about.

"I also am a spokesperson for the Early Detection Campaign. More than half of childhood deafness is present either at birth or before the first birthday. The later detection is two and one-half years old. What I mean is, if the parent notices some hearing loss in their children, they need to take their children to the doctor immediately. But most of them do not do it, so I encourage them if they notice some hearing loss, take them to the doctor immediately. I am an example of early detection.

"Then, I work with the Alexander Graham Bell Association for the Deaf and some outdoor advertising agencies. And I also offer their free number

1-800-HEAR-CAN'T, and in other words, they can get some help from Alexander Graham Bell Association. I came to you not only as the first Miss America who is deaf, but also as an honorary member of the President's Committee on the Employment of People with Disabilities. The President's Committee is a public and private, national and state organization and people working together to improve the lives of people with disabilities by increasing the opportunities for people, I mean employment.

"People with disabilities do not want to be tax users, they want to be tax payers. Three weeks ago...this is my first time to earn a big check. So three weeks ago I signed my name because I had to pay taxes. It was a lot of money. And so I had to kiss it goodbye and say it will make my country better. I think I should have a depression party. Anyway, each year the federal government spends 40 times more money to support the people with disabilities who are not working. They expect to assist them to prepare or find employment. It has been estimated that the lack of the labor force of people with no disabilities costs our nation economically more than 200 billion, dollars.

"The Americans with Disabilities Act of 1990 is comprehensive civil rights legislation which was developed through the grass roots effort of tens of thousands of Americans with disabilities who believe that people with disabilities deserve the same opportunities as everyone else. We have seen so many changes because of ADA. Some banks have lowered their automatic teller machines and put Braille sheets under them. Elevators have Braille on their floor numbers. Handicap curbs help the people with disabilities and the people who don't have disabilities, making it not only easier for people in the wheel chairs, but also for strollers, baby carriages, tricycles, bicycles, roller skaters and roller bladers. We also have every TV set with closed-caption, in other words, deaf people look at the words on TV. Not only does it help deaf people, but it also helps people who are learning English, like people from another country. Some teachers use the closed-caption to teach the children to read faster by turning the sound off and making the student read. If they are hearing, they help more people than you can imagine. Stores have signs which say if you need assistance see the store manager. In addition, TDD's are being provided for people who can not use the telephone. Not just the people who can't hear, but also the people who can't communicate with their voice. Many of you may have seen them. They enable a person to type a message to someone at the other end of a phone line. For people who don't have TDD's, a telecommunication relay service has been started so that you can call the person as an operator types on the TDD.

"However, it is still up to the person with a disability to get out there and

compete to get the job just like I did as Miss America and to fight to insure that the law is still working. I ask you as state legislators -- this is very hard for me to say, I worked very hard to say it perfectly -- to consider that any funds expended on people with disabilities is an investment in their future, and in our state's future. If my teachers and my parents had not invested their time and resources in me, I probably would not be Miss America. And I remember, my mother told me the word -- and I don't know if you have heard of this before -- but she would say look at the word or the last four letters of the word AMERICAN. Like A M E R I CAN. I watched the TV news from Japan. I had no idea what they were saying because they were speaking Japanese. It lasted about twenty minutes, anyway, they showed the word AMERICAN and it showed a picture of a mother and a daughter and she was showing the word. Then they compared to another country like MEXICAN, AFRICAN and then they showed Japanese. There is no word I CAN in Japanese. And I thought that was so funny. We need to work hard on a national, state, and local level to be sure that people with disabilities get the same opportunities as everyone else.

"We must assure there are vocational rehab training services, employment, and education so we can do all that we can do to assure that people with disabilities (often the last hired) are not also the first fired. We need to help to erase the word **impossible** from everyone's vocabulary. It is not here in our country - especially when I won Miss America. The crown erased the word **impossible**. We have a freedom to dream, a freedom to do what we need to do. Telecommuting, for example, is the wave of the future. In Los Angeles, after the earthquake, many people who weren't able to go to their job worked at home. Some of the companies who enjoyed the decreased cost and increased productivity benefit of the telecommuting - I'll spell it for you t e l e c o m m u t i n g - I just don't want you to misunderstand me - that's why I spelled it out. They are American Express, Travelers Insurance Company, J. C. Penney Company, Sears, TWA, AT&T and Best Western. These opportunities should be opened to people with disabilities as well as the people without disabilities. Each person with a disability needs to reach for the stars and all of us who are service providers and employers need to do what we can do to provide opportunities and not put unnecessary barriers in their way. Remember, we are not here by choice, but by God's choice. Thank you so much for believing in me and I appreciate your support.

"May God bless you all and I wish you the best of luck in the future. Bye Bye."

BOARDS AND COMMISSIONS
APPOINTMENTS BY THE SPEAKER
December 4, 1994 - December 31, 1995

Appointments before January 25, 1995, were made by Speaker Daniel T. Blue, Jr., who was Speaker of the House during the 1993 Session of the General Assembly.

	APPOINTED	EXPIRES
ABANDONED CEMETERIES, ADVISORY COMMISSION ON		
G.S. 143B-128		
Rep. Howard Hunter, Jr. (Reappointment)	9/20/95	6/30/99
ACUPUNCTURE LICENSING BOARD		
G.S. 90-453; 120-122; Chapter 488, 1995 Session Laws		
Mr. Richard Koerber	7/27/95	6/30/97
ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120-70.100		
Rep. Billy Creech, Co-Chair	8/31/95	1/14/97
Rep. Cary Allred	8/31/95	1/14/97
Rep. L. W. Locke	8/31/95	1/14/97
Rep. Linwood Mercer	8/31/95	1/14/97
Rep. Frank Mitchell	8/31/95	1/14/97
Rep. John Nichols	8/31/95	1/14/97
Rep. David Redwine	8/31/95	1/14/97
Rep. Joanne Sharpe	8/31/95	1/14/97
ADVISORY BUDGET COMMISSION		
G.S. 143-4		
Rep. Rex Baker	2/21/95	1/31/97
Rep. Billy Creech	2/21/95	1/31/97
Rep. Theresa Esposito	2/21/95	1/31/97
Rep. Dewey Hill	2/21/95	1/31/97
Rep. George Holmes	2/21/95	1/31/97

AGING, N. C. STUDY COMMISSION ON

G.S. 120-180

Rep. Debbie Clary, Co-Chair	10/25/95	6/30/97
Rep. Beverly Earle	10/25/95	6/30/97
Rep. Zeno L. Edwards, Jr.	10/25/95	6/30/97
Rep. Arlene Pulley	10/25/95	6/30/97
Rep. Gene Wilson	10/25/95	6/30/97
Ms. Donna A. Creech	10/25/95	6/30/97
Ms. Lorena Moree	10/25/95	6/30/97
Mr. Travis Tomlinson	10/25/95	6/30/97

AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION

G.S. 120-150

Rep. John Brown, Co-Chair	10/1/95	9/30/97
Rep. Arlie Culp	10/1/95	9/30/97
Rep. John Weatherly	10/1/95	9/30/97
Mr. W. M. Lewis	10/1/95	9/30/97

AGRICULTURAL FINANCE AUTHORITY, N. C.

G.S. 122D-4; 120-122; Chapter 488, 1995 Session Laws

Mr. Gary Hyatt	7/27/95	6/30/98
Mr. Zeno Radcliffe, III	7/27/95	6/30/98
Mr. J. D. Teachey, Jr.	7/27/95	6/30/98

AGRICULTURAL WASTE, BLUE RIBBON STUDY COMMISSION

Chapter 542, Part IV, 1995 Session Laws

Rep. John Brown	8/24/95	convening 1996 G.A.
Dr. Ernest A. Carl	8/24/95	"
Dr. William Robert Caviness	8/24/95	"
Dr. Robert Edward Cook	8/24/95	"
Mr. C. Lloyd Godley, Jr.	8/24/95	"
Mr. Robert W. Ivey	8/24/95	"

AIR CARGO AIRPORT AUTHORITY

G.S. 63A-3

Mr. Seddon Goode, Jr.	7/1/95	6/30/99
Mr. J. Gregory Poole, Jr.	7/1/95	6/30/99

ALARM SYSTEMS LICENSING BOARD

G.S. 74D-4

Sylvania Wilkerson	7/27/95	6/30/98

AQUACULTURE ADVISORY BOARD
G.S. 106-760

Rep. John Brown	2/23/95	1/31/97

ART, BOARD OF TRUSTEES OF THE MUSEUM OF
G.S. 140-5.13(b); 120-122; Chapter 488, 1995 Session Laws

Mr. Borden Hanes	7/27/95	6/30/97
Mrs. Emily Meymandi	7/27/95	6/30/97

BIOTECHNOLOGY CENTER BOARD, N. C.
By-laws

Dr. Robert G. Campbell	9/20/95	7/31/97
Dr. Lynn S. Fitzgerald	9/20/95	7/31/97
Mr. Skipper Soloman	9/26/95	7/31/97
Mr. James R. Trotter	9/20/95	7/31/97

BLIND, CONSUMER AND ADVOCACY ADVISORY COMMITTEE FOR THE
G.S. 143B-164

Rep. Martha Alexander (Reappointment)	9/21/95	6/30/97

BLOCK GRANT FUNDING AND OTHER FEDERAL ACTIONS ON MEDICAID IN N. C., BLUE RIBBON TASK FORCE ON THE ISSUE OF THE POTENTIAL IMPACT OF FEDERAL
Chapter 507, Part 23, 1995 Session Laws

Rep. Theresa Esposito, Co-Chair	9/8/95	convening 1996 G.A.
Rep. Cherie Berry	9/8/95	"
Rep. Lanier Cansler	9/8/95	"
Rep. James C. Carpenter	9/8/95	"
Rep. Julia Howard	9/8/95	"
Rep. William Wainwright	9/8/95	"

BOXING COMMISSION, N.C. STATE
G.S. 120-122, 143-652, Chapter 499, 1995 Session Laws

Dr. Joseph J. Estwanik (Non-Voting Member)	9/26/95	12/31/96
Mr. William D. McInnis (Voting Member)	9/26/95	12/31/96
Dr. Ward Oakley	1/1/96	12/30/96
Mr. Arthur Smith	1/1/96	12/30/96

BUILDING COMMISSION, STATE

G.S. 143-135.25; 120-122

Mr. Benny Ray Hockaday	9/20/95	6/30/98
(Reappointment)		

BUTNER PUBLIC SAFETY, STUDY COMMISSION ON THE TRANSFER OF

Chapter 324, Part 20, Sec. 20.5, 1995 Session Laws

Rep. J. W. Crawford, Jr., Co-Chair	9/12/95	5/1/96
Rep. Larry Justus	9/12/95	5/1/96
Rep. Wayne Sexton	9/12/95	5/1/96
Mr. Ben Aiken	9/12/95	5/1/96
Mr. William McKellar	9/12/95	5/1/96
Ms. Eva Perry	9/12/95	5/1/96

CANCER COORDINATION AND CONTROL, ADVISORY COMMITTEE ON

G.S. 130A-33.50

Rep. W. W. Dickson	6/15/95	6/30/99
(Reappointment)		
Rep. Robin Hayes	2/23/95	6/30/97
(Replaced by Rep. Julia Howard)		
Rep. Julia Howard	6/15/95	6/30/97
(Replaced Robin Hayes)		
Rep. Thomas E. Wright	6/15/95	6/30/99
(Reappointment)		
Mr. William Holt	6/15/95	6/30/97
(Disqualified 9/20/95)		
Mr. Chuck Stone	1/05/94	6/30/97

CAPITAL PLANNING COMMISSION, N. C.

G.S. 143B-374

Rep. J. Russell Capps	2/23/95	1/31/97
Rep. Rick Eddins	2/23/95	1/31/97
Rep. David Miner	2/23/95	1/31/97
Rep. Charles B. Neely, Jr.	2/23/95	1/31/97
Rep. Arlene Pulley	2/23/95	1/31/97

CENTENNIAL AUTHORITY

Chapter 488, 1995 Session Laws

Mr. Brent Barringer	7/27/95	7/1/97
Mr. Ray N. Rouse, III	7/27/95	7/1/99
Mr. O. Temple Sloan, Jr.	7/27/95	7/1/97
Mr. R. Stephen Stroud	7/27/95	7/1/99

CHILD DAY CARE COMMISSION

G.S. 143B-168.4; 120-122; Chapter 488, 1995 Session Laws

Ms. Sharon Decker (Nonprofit Provider)	7/24/95	6/30/97
Ms. Jerri Howell (For Profit Provider)	7/24/95	6/30/97

CHILD FATALITY TASK FORCE, N. C.

G.S. 143-574

Rep. Debbie A. Clary	2/23/95	1/31/97
Rep. W. W. Dickson	2/23/95	1/31/97
Rep. Ruth Easterling	3/10/95	1/31/97
Rep. Joanne Sharpe	3/10/95	1/31/97
Ms. Jennifer Tolle	10/25/95	1/31/97

CHILDHOOD EDUCATION AND DEVELOPMENT INITIATIVES, JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON EARLY

G.S. 120-70.90

Rep. Charlotte Gardner, Co-Chair	2/23/95	1/31/97
Rep. Joanne Bowie	2/23/95	1/31/97
Rep. Frances Cummings	2/23/95	1/31/97
Rep. Edd Nye	2/23/95	1/31/97
Rep. Carolyn Russell	2/23/95	1/31/97
Rep. William Wainwright	2/23/95	1/31/97

CHILDREN WITH SPECIAL NEEDS, COMMISSION ON

G.S. 120-58

Rep. Theresa Esposito (Reappointment)	8/1/95	7/31/97
Rep. Joanne Sharpe	8/1/95	7/31/97
Rep. Gregory Thompson	8/1/95	7/31/97
Ms. Ann Blakeney Clark	8/1/95	7/31/97

CHIROPRACTIC EXAMINERS, N. C. BOARD OF

G.S. 90-139; 120-122; Chapter 488, 1995 Session Laws

Dr. John T. Tierney	7/27/95	6/30/97

CODE OFFICIALS QUALIFICATIONS BOARD, N. C.

G.S. 143-151.9(a)

Mr. D. Edwin Rose	6/30/95	6/30/99

COMMUNITY DEVELOPMENT INITIATIVE, INC. BOARD OF DIRECTORS, N. C.

Bylaws

Rep. Mickey Michaux, Jr.	determined by Board Resolution	
Ms. Susan Perry Cole	"	

COMPETITIVE TECHNOLOGIES, N. C. ALLIANCE FOR

Executive Order

Rep. William Hurley	9/1/95	1/31/97
Rep. Dennis Reynolds	9/1/95	1/31/97

CORRECTIONS OVERSIGHT COMMITTEE, JOINT LEGISLATIVE

G.S. 120-70.93

Rep. Larry Justus, Co-Chair	2/23/95	1/31/97
Rep. Joanne Bowie	2/23/95	1/31/97
Rep. J. W. Crawford, Jr.	2/23/95	1/31/97
Rep. George Holmes (Resigned)	2/23/95	1/31/97
Rep. Joe L. Kiser	2/23/95	1/31/97
Rep. Linwood Mercer (Replaced Rep. Holmes)	6/8/95	1/31/97
Rep. Arlene Pulley	2/23/95	1/31/97
Rep. Gregory Thompson	2/23/95	1/31/97
Rep. Michael S. Wilkins	2/23/95	1/31/97

COSMETIC ART EXAMINERS, STATE BOARD OF

G.S. 88-13; Chapter 488, 1995 Session Laws

Mr. James Ray Smith	7/27/95	6/30/97

COURTS COMMISSION, N. C.

G.S. 7A-506

Rep. William T. Culpepper, III	7/1/95	6/30/99
Rep. Leo Daughtry	7/1/95	6/30/99
Rep. Charles Neely, Jr.	7/1/95	6/30/99

CRIME COMMISSION, GOVERNOR'S

G.S. 143B-478

Rep. Leo Daughtry	2/23/95	1/31/97
Rep. Larry Linney	2/23/95	1/31/97

CRIME CONTROL AND PUBLIC SAFETY, STUDY COMMISSION ON DEPARTMENT OF

Chapter 324, Sec. 20.4, 1995 Session Laws

Rep. Larry Justus, Co-Chair	9/8/95	5/1/96
Rep. Billy Creech	9/8/95	5/1/96
Rep. Theresa Esposito	9/8/95	5/1/96
Rep. George Holmes	9/8/95	5/1/96
Rep. Joe L. Kiser	9/8/95	5/1/96
Rep. Gregory Thompson	9/8/95	5/1/96

CRIME VICTIMS COMPENSATION COMMISSION

G.S. 15B-3; Chapter 488, 1995 Session Laws

Mr. Louis Pippin	7/27/95	6/30/99

CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, N. C.

G.S. 17C-3; Chapter 488, 1995 Session Laws

Mr. Bill Anderson	7/27/95	6/30/97

CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD, STATE

G.S. 143B-272.6

Mr. Buster Robertson	7/1/95	6/30/98

DISABILITY TASK FORCE

Chapter 1034, 1983 Session Laws; amended by Chapter 757, 1985 Session Laws

Rep. Carolyn Russell	3/10/95	1/31/97

DISABILITIES, GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH

G.S. 143B-403.2; 120-122; Chapter 488, 1995 Session Laws

Mrs. Pat Clapp (Mental Retardation)	7/27/95	6/30/97
Ms. Laurie M. Collins (At Large)	7/27/95	6/30/97
Mrs. Jodi Kopalla (At Large)	7/27/95	6/30/97
Mr. Max V. Krebs (Mental Illness)	7/27/95	6/30/97
Mr. William B. Morris (Physical Disabilities)	7/27/95	6/30/97
Ms. Sharon Plain (At Large)	7/27/95	6/30/97
Mr. James H. Wells (Developmental Disabilities)	7/27/95	6/30/97

DISPUTE RESOLUTION COMMISSION
G.S. 7A-38.2; 120-122

Mr. Carmon J. Stuart	10/31/95	9/30/99

DRIVERS LICENSE MEDICAL EVALUATION PROGRAM, COMMISSION TO STUDY THE
Chapter 324, Section 18.17, 1995 Session Laws

Rep. William Hiatt, Co-Chair	10/25/95	convening of 1997 G.A.
Rep. J. Samuel Ellis	10/25/95	"
Rep. Liston Ramsey	10/25/95	"

ECONOMIC DEVELOPMENT BOARD
G.S. 143B-434; 120-122

Rep. Cherie Berry	8/23/95	7/1/99
Rep. George Robinson	8/23/95	7/1/99

ECONOMIC DEVELOPMENT COMMISSION, NORTHEASTERN N. C. REGIONAL
G.S. 158-8.2; 120-122; Chapter 488, 1995 Session Laws

Mr. Edmond Buckman, Sr.	7/27/95	6/30/99
Mr. G. B. Warner	7/27/95	6/30/99

ECONOMIC DEVELOPMENT COMMISSION, SOUTHEASTERN N. C. REGIONAL
G.S. 158-8.3; 120-121; Chapter 488, 1995 Session Laws

Mr. George Rountree, III	7/27/95	6/30/99
Mr. Wyatt G. Upchurch	7/27/95	6/30/99
Mr. Kermit Williamson	3/8/95	1/30/97

ECONOMIC DEVELOPMENT COMMISSION, WESTERN N. C. REGIONAL
G.S. 158-8.1; 120-122

Mr. Roger Hill (Replaced Mr. Harry Jarrett)	9/28/95	6/30/97
Mr. Marty Kimsey	9/8/95	6/30/99
Mrs. Ann Robinson	9/8/95	6/30/99
Mr. R. Tracy Walker	9/8/95	6/30/99
Mr. John Wellborn	9/8/95	6/30/99

EDUCATION COMMISSION OF THE STATES
G.S. 115C-104

Rep. Steve Wood	2/23/95	1/31/97

EDUCATION COUNCIL, N. C.
G.S. 115C-105

Rep. Rick Eddins	2/23/95	1/31/97

EDUCATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE
G.S. 120-70.80

Rep. Robert Grady, Co-Chair	2/23/95	1/31/97
Rep. James Black	2/23/95	1/31/97
(Reappointment)		
Rep. Frances Cummings	2/23/95	1/31/97
Rep. W. Edwin McMahan	2/23/95	1/31/97
Rep. Bill Owens	2/23/95	1/31/97
Rep. Jean Preston	2/23/95	1/31/97
Rep. Gene Rogers	2/23/95	1/31/97
(Reappointment)		
Rep. Steve Wood	2/23/95	1/31/97

EDUCATIONAL FACILITIES FINANCE AGENCY
G.S. 115E-4

Mr. Martin L. Nesbitt, Jr.	1/20/95	12/31/96

EDUCATIONAL SERVICES FOR EXCEPTIONAL CHILDREN, COUNCIL ON
G.S. 115C-121

Rep. Charlotte Gardner	7/1/95	6/30/97
(Reappointment)		
Rep. Cindy Watson	4/4/95	6/30/95
(Reappointment)	7/1/95	6/30/97

EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL
G.S. 143-510

Rep. Charles Beall	8/29/95	12/31/96
(Reappointment)		
Rep. J. Samuel Ellis	8/29/95	12/31/96

EMPLOYEE HOSPITAL AND MEDICAL BENEFITS
G.S. 135-38

Rep. Jerry Dockham, Co-Chair	3/15/95	6/30/95
(Reappointment)	8/29/95	6/30/97
Rep. Bobby H. Barbee, Sr.	8/29/95	6/30/97
Rep. John Cocklereece	8/29/95	6/30/97
Rep. William Hurley	8/29/95	6/30/97
Rep. William Ives	8/29/95	6/30/97
Rep. Richard Morgan	3/15/95	6/30/95
(Reappointment)	8/29/95	6/30/97
Rep. Arlene Pulley	8/29/95	6/30/97

ENERGY POLICY COUNCIL
G.S. 113B-3

Rep. L. W. Locke	9/21/95	1/31/97
Rep. Dennis Reynolds	9/21/95	1/31/97

ENVIRONMENTAL MANAGEMENT COMMISSION, N. C.
G.S. 143B-283; 120-122; Chapter 488, 1995 Session Laws

Mr. Douglas S. Boykin	7/27/95	6/30/97
Ms. Carla DuPuy	7/27/95	6/30/97

ENVIRONMENTAL REVIEW COMMISSION
G.S. 120-70.42

Rep. John Nichols, Co-Chair	2/23/95	1/31/97
Rep. Arlie Culp (Reappointment)	2/23/95	1/31/97
Rep. L. W. Locke	2/23/95	1/31/97
Rep. Norris Tolson	2/23/95	1/31/97
Rep. John Weatherly	2/23/95	1/31/97
Rep. Frank Mitchell	3/15/95	1/31/97

FAMILY, COMMISSION ON THE
G.S. 120-70.72

Rep. Michael P. Decker, Co-Chair	6/15/95	1/31/97
Rep. William Hiatt	6/15/95	1/31/97
Rep. William Hurley	6/15/95	1/31/97
Mr. William J. Brooks, Jr.	10/10/95	1/31/97
Ms. Susan Minton	6/21/95	1/31/97

FAMILY-CENTERED SERVICE, ADVISORY COMMITTEE ON
G.S. 143B-150.7; Chapter 488, 1995 Session Laws

Rep. Cherie Berry	7/7/95	6/30/99
Rep. Michael P. Decker	7/7/95	6/30/99
Rep. Edd Nye (Reappointment)	7/7/95	6/30/99
Mr. Phillip Spry	7/27/95	6/30/99

FARMWORKER COUNCIL, N. C.
G.S. 143B-426.25

Rep. Frances Cummings	8/29/95	6/30/97
Rep. Don Davis	8/29/95	6/30/97

FIRE AND RESCUE COMMISSION, STATE
G.S. 58-78.10; 120-122; Chapter 488, 1995 Session Laws

Mr. Bennie Scarboro	10/1/95	9/30/98

FIRST FLIGHT CENTENNIAL COMMISSION

G.S. 143-640

Ms. Kay Carrington	6/30/95	6/30/97
Mr. James Cofield	12/13/94	6/30/97
Mr. Michael W. Haley	6/30/95	6/30/97
Mr. Kenneth M. McIntyre	12/13/94	6/30/97
Mrs. Jean Rogers	1/3/95	6/30/97

FISCAL RELATIONS AND TRENDS STUDY COMMISSION, STATE AND LOCAL GOVERNMENT

Chapter 542, Part XV, 1995 Session Laws

Rep. Carolyn Russell, Co-Chair	8/30/95	1997 G.A.
Rep. Michael P. Decker	8/30/95	1997 G.A.
Rep. Rick Eddins	8/30/95	1997 G.A.
Rep. Eugene McCombs	8/30/95	1997 G.A.
Rep. Michael S. Wilkins	8/30/95	1997 G.A.

FUTURE STRATEGIES FOR N. C.

G.S. 120-84.7

Rep. Dennis Reynolds, Co-Chair	10/25/95	1997 G.A.
Rep. Rex Baker	10/25/95	1997 G.A.
Rep. John Cocklereece	10/25/95	1997 G.A.
Rep. William Owens, Jr.	10/25/95	1997 G.A.
Rep. Tim Tallent	10/25/95	1997 G.A.
Rep. Stephen Wood	10/25/95	1997 G.A.

GENERAL STATUTES COMMISSION

G.S. 164-14

Rep. William Richardson	1/19/95	5/31/95
Rep. William T. Culpepper, III	6/15/95	5/31/97

GENETIC ENGINEERING REVIEW BOARD

G.S. 106-769; Chapter 488, 1995 Session Laws

Mr. Bob Everett	7/27/95	6/30/98

GLOBAL TRANSPARK AUTHORITY BOARD OF DIRECTORS, N. C.

Chapter 488, 1995 Session Laws

Mr. Seddon Goode, Jr.	7/27/95	6/30/99
Mr. J. Gregory Poole, Jr.	7/27/95	6/30/99

GOVERNMENTAL OPERATIONS, JOINT LEGISLATIVE COMMISSION ON

G.S. 120-74

Rep. J. W. Crawford, Jr.	3/10/95	1/15/97
Rep. Billy Creech	9/8/95	1/15/97
Rep. Leo Daughtry	3/10/95	1/15/97
Rep. Theresa Esposito	3/10/95	1/15/97
Rep. Robert Grady	3/10/95	1/15/97
Rep. Lyons Gray	3/10/95	1/15/97
Rep. George Holmes (Reappointment)	3/10/95	1/15/97
Rep. Larry Justus	9/8/95	1/15/97
Rep. Richard Morgan	3/10/95	1/15/97
Rep. Liston Ramsey	3/10/95	1/15/97
Rep. George Robinson	3/10/95	1/15/97
Rep. Carolyn Russell	3/10/95	1/15/97

HANDICAPPED CHILDREN FROM BIRTH TO FIVE YEARS OF AGE, INTER-AGENCY COORDINATING COUNCIL FOR

G.S. 143B-179.5

Rep. Joanne Sharpe	6/15/95	6/30/96

HEALTH CARE REFORM COMMISSION

Chapter 542, Part XII, 1995 Session Laws

Rep. Zeno L. Edwards, Jr., Co-Chair	8/30/95	1997 G.A.
Rep. Bobby H. Barbee, Sr.	8/30/95	1997 G.A.
Rep. Jerry Dockham	8/30/95	1997 G.A.
Rep. Theresa Esposito	8/30/95	1997 G.A.
Mr. Robert Morrison	8/30/95	1997 G.A.
Dr. William Parham	8/30/95	1997 G.A.

HEALTH PLAN PURCHASING ALLIANCE BOARD, STATE

G.S. 143-625; 120-122

Mrs. Peggy Anne Vaughan	10/25/95	6/30/97

HEALTH PLANNING COMMISSION, PUBLIC

G.S. 120-195

Rep. Zeno L. Edwards, Jr., Co-Chair	10/25/95	6/30/96
Rep. M. W. Aldridge	10/25/95	6/30/96
Rep. Theresa Esposito	10/25/95	6/30/96
Rep. John Gamble, Jr.	10/25/95	6/30/96
Rep. John Nichols	10/25/95	6/30/96
Mr. Dennis E. Harrington	10/25/95	6/30/97
Dr. Stephen Robert Keener	10/25/95	6/30/97

HEART DISEASE AND STROKE PREVENTION TASK FORCE, NORTH CAROLINA

Chapter 507, Section 26.9, 1995 Session Laws

Ms. Ruth D. Cooper (Registered Nurse)	12/18/95	10/1/97
Mr. Charles Cromer (Stroke Survivor)	12/18/95	10/1/97
Ms. Kathleen Magura, R.D. (Registered Dietician)	12/18/95	10/1/97
Mr. A. H. Mebane, III (Pharmacist)	12/18/95	10/1/97

HOLOCAUST, N. C. COUNCIL ON THE

G.S. 143B-216.21

Mrs. Gizella Abramson	12/11/95	6/30/97
Ms. Marilyn Davidson	12/11/95	6/30/97
Mr. Alan Novak	12/11/95	6/20/97
Mrs. Maxine Smith	12/11/95	6/30/97
Mr. Frederick D. Ullman	12/11/95	6/30/97
Mrs. Runia Vogelhut	12/11/95	6/30/97

HOME AND COMMUNITY CARE, ADVISORY COMMITTEE ON

G.S. 143B-181.9A

Rep. Charlotte Gardner	3/13/95	1/15/97

HOME INSPECTOR LICENSURE BOARD, N. C.

G.S. 143-151.46; 120-122

Mr. Ralph L. McSwain (Public Member)	12/19/94	6/30/98
Dr. John J. Woodmansee (Home Inspector)	12/19/94	6/30/96

HOUSING FINANCE AGENCY BOARD OF DIRECTORS, N. C.

G.S. 122A-4; 120-122; Chapter 488, 1995 Session Laws

Mr. Donald B. Barnes (At Large)	7/27/95	6/30/97
Mr. William T. Boyd (Licensed Real Estate Broker)	7/27/95	6/30/97
Mr. William Todd Houser (Mortgage Servicing Institution)	7/27/95	6/30/97
Mr. James W. Oglesby (At Large)	7/27/95	6/30/97

INDIAN AFFAIRS, COMMISSION ON

G.S. 143B-407; Chapter 488, 1995 Session Laws

Mr. Ray Little Turtle	7/27/95	6/30/97

INDIAN EDUCATION, STATE ADVISORY COUNCIL ON
G.S. 115C-210.1

Rep. Ronnie Sutton	3/13/95	1/31/97

INFORMATION RESOURCE MANAGEMENT COMMISSION
G.S. 143B-426.21(a); Chapter 488, 1995 Session Laws

Mr. L. Keith Clark	7/27/95	6/30/99

INTERNSHIP COUNCIL, N. C.
G.S. 143B-418

Mr. Ronald L. Kiziah	7/1/95	6/30/97

JOB TRAINING PROGRAMS, JOINT LEGISLATIVE STUDY COMMISSION
Chapter 507, Part 8, Sec. 8.5, 1995 Session Laws

Rep. Julia Howard, Co-Chair	9/13/95	1997 G.A.
Rep. Cherie Berry	9/13/95	1997 G.A.
Rep. J. Russell Capps	9/13/95	1997 G.A.
Rep. James C. Carpenter	9/13/95	1997 G.A.
Rep. Edd Nye	9/13/95	1997 G.A.
Rep. Alex Warner	9/13/95	1997 G.A.

LEGISLATIVE ETHICS COMMITTEE
G.S. 120-99

Rep. Julia Howard	2/23/95	1/31/97
Rep. Joe L. Kiser	11/27/95	1/31/97
Rep. Carolyn Russell	2/23/95	1/31/97
Rep. Charles Neely, Jr. (Replaced Rep. Russell)	3/15/95	1/31/97
Rep. Michael S. Wilkins	3/08/95	1/31/97
Rep. Thomas E. Wright	3/08/95	1/31/97

LEGISLATIVE RESEARCH COMMISSION
G.S. 120-30.10
Speaker Harold J. Brubaker, Co-Chair

Rep. Jerry Dockham	8/10/95	1/15/97
Rep. Larry Linney (Replaced Rep. Louis Pate)	8/10/95	1/15/97
Rep. Edd Nye	8/10/95	1/15/97
Rep. Louis Pate, Jr.	8/10/95	1/15/97
Rep. Gregory Thompson	8/10/95	1/15/97
Rep. Connie Wilson	8/10/95	1/15/97

LEGISLATIVE SERVICES COMMISSION

G.S. 120-31

Speaker Harold J. Brubaker, Co-Chair		
Rep. Gene Arnold	3/15/95	1/31/97
Rep. Robert Brawley	9/8/95	1/31/97
(Replaced Rep. Larry Justus)		
Rep. Walter Church, Sr.	3/15/95	1/31/97
Rep. Billy Creech	3/15/95	1/31/97
Rep. Lyons Gray	9/8/95	1/31/97
(Replaced Rep. Billy Creech)		
Rep. Robin Hayes	3/15/95	1/31/97
Rep. Larry Justus	3/15/95	1/31/97
Rep. Mary McAllister	3/15/95	1/31/97
(Reappointment)		

LIBRARY COMMISSION, STATE

G.S. 143B-91

Ms. Marjorie Moser Rankin	9/20/95	6/30/99

LICENSING OF SOIL SCIENTISTS, N. C. BOARD OF

G.S. 89F-1-25

Mr. Hubert Byrd	9/20/95	6/30/96
Mr. W. Graham Cawthorne, Jr.	9/20/95	6/30/97

LOCAL GOVERNMENT ADVOCACY COUNCIL

G.S. 143-506.14

Rep. James C. Carpenter	3/15/95	1/15/97
Rep. Louis Pate, Jr.	3/15/95	1/15/97

LOCAL GOVERNMENT PARTNERSHIP COUNCIL

Executive Order No. 21

Rep. James C. Carpenter	3/29/95	1/31/97
Rep. Louis Pate, Jr.	3/29/95	1/31/97

LOW-LEVEL RADIOACTIVE WASTE, JOINT SELECT COMMITTEE ON

G.S. 120-70.31

Rep. W. W. Dickson, Co-Chair	9/6/95	1/15/97
Rep. Jerry Braswell	9/6/95	1/15/97
Rep. Robert Brawley	9/6/95	1/15/97
Rep. Debbie Clary	9/6/95	1/15/97
Rep. George Miller, Jr.	9/6/95	1/15/97
Rep. David Miner	9/6/95	1/15/97

LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT AUTHORITY, N. C.

G.S. 104G-5; 120-122; Chapter 488, 1995 Session Laws

Dr. Erin J. Kuczmarski	12/20/94	6/30/98
Mr. Bob McLester	7/27/95	6/30/99
Dr. Constance K. Walker	7/27/95	6/30/99

LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT COMMISSION, N.C.

G.S. 104F-4

Rep. W. W. Dickson	8/29/95	7/15/97
Rep. George Miller, Jr. (Reappointment)	8/29/95	7/15/97

MAJOR MEDICAL PLAN, BD. OF TRUSTEES OF TEACHERS' AND STATE EMPLOYEES COMPREHENSIVE

G.S. 135-39; 120-122; Chapter 488, 1995 Session Laws

Mr. Charles W. Crutchfield (Public Member Non-State Employee)	7/27/95	6/30/97
Mr. C. V. Parks (Retired State Employee)	7/27/95	6/30/97

MARTIN LUTHER KING, JR. COMMISSION

G.S. 143B-426.34B

Reverend C. W. Petress	7/1/95	6/30/99

MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE, COMMISSION FOR

G.S. 143B-148; 120-122; Chapter 488, 1995 Session Laws

Ms. Teresa C. Nunn	7/27/95	6/30/97
Ms. Laura J. Thomas	7/27/95	6/30/97

MENTAL HEALTH STUDY COMMISSION

Chapter 771, 1993 Session Laws; Chapter 542, Part XIII, 1995 Session Laws

Rep. Charlotte Gardner, Co-Chair	9/12/95	3/15/97
Rep. Martha Alexander	9/12/95	3/15/97
Rep. Cherie Berry	9/12/95	3/15/97
Rep. J. W. Crawford, Jr.	9/12/95	3/15/97
Rep. Julia Howard	9/12/95	3/15/97
Rep. Cindy Watson	9/12/95	3/15/97
Rep. Gene Wilson	9/12/95	3/15/97
Ms. Lou B. Wilson	9/12/95	3/15/97

MENTAL HEALTH SYSTEM, BLUE RIBBON TASK FORCE
Chapter 507, Part 8, 1995 Session Laws

Rep. Charlotte Gardner, Co-Chair	9/8/95	1996 G.A.
Rep. Cherie Berry	9/8/95	1996 G.A.
Rep. J. W. Crawford, Jr.	9/8/95	1996 G.A.
Rep. Julia Howard	9/8/95	1996 G.A.

MINORITY HEALTH ADVISORY COUNCIL
G.S. 130A-33.44

Mr. Robert R. Wittmann	7/1/95	6/30/99

MUNICIPAL INCORPORATIONS, JOINT LEGISLATIVE COMMISSION ON
G.S. 120-158

Rep. William Hurley	7/1/95	6/30/97
Rep. Louis Pate, Jr.	7/1/95	6/30/97
Mr. Clayton Loflin	7/1/95	6/30/97

NATURAL HERITAGE TRUST FUND BOARD OF TRUSTEES
G.S. 113-77.6

Mr. Dewey W. Wells	1/1/96	12/31/2001

NEW LICENSING BOARDS, LEGISLATIVE COMMITTEE ON
G.S. 120-149.6

Rep. Michael P. Decker	4/13/95	1/30/97
Rep. Linwood Mercer	4/13/95	1/30/97
Rep. Frank Mitchell	4/13/95	1/30/97
Rep. Wilma Sherrill	4/13/95	1/30/97

NURSING, BOARD OF DIRECTORS OF N. C. CENTER FOR
G.S. 90-171.71; 120-122; Chapter 488, 1995 Session Laws

Mrs. Cynthia R. Morgan	7/27/95	6/30/98

NURSING SCHOLARS COMMISSION, N. C.
G.S. 90-171.60; 120-122; Chapter 488, 1995 Session Laws

Ms. Donna White	7/27/95	6/30/97

PARTNERSHIP FOR CHILDREN, INC., N. C.
G.S. 143B-168.12

Rep. Warren Oldham (Reappointment)	9/1/95	8/31/98
Rep. Carolyn Russell	9/1/95	8/31/98
Rep. Fern Shubert	9/1/95	8/31/98

PETROLEUM UNDERGROUND STORAGE TANK FUNDS COUNCIL, N. C.
G.S. 143-215.940A; Chapter 488, 1995 Session Laws

Mr. Neb King	7/27/95	6/30/97
(Motor Fuel Service Station Dealer)		
Mr. George Robert Luckadoo	7/27/95	6/30/97
(Mediation of Groundwater Contamination)		
Mr. Steve Williams	7/27/95	6/30/97
(Owner/Operator of Convenience Store)		

PHYSICAL FITNESS AND HEALTH, GOVERNOR'S COUNCIL ON
G.S. 143B-216.9

Rep. Wayne Sexton	7/7/95	6/30/97

PORTS AUTHORITY, STATE
G.S. 143B-452; Chapter 488, 1995 Session Laws

Mr. William F. Maready	7/27/95	6/30/97

PORTS STUDY, STATE
Chapter 542, Part XVI, 1995 Session Laws

Rep. Danny McComas, Co-Chair	8/30/95	5/1/96
Rep. Robert Grady	8/30/95	5/1/96
Rep. Jean Preston	8/30/95	5/1/96
Mr. William P. Emerson	8/30/95	5/1/96
Mr. Seddon Goode	8/30/95	5/1/96

PRINCIPAL FELLOWS COMMISSION, N. C.
G.S. 116-74.41; Chapter 488, 1995 Session Laws

Mr. Henry Kluttz	7/27/95	6/30/99

PRIVATE PROTECTIVE SERVICES BOARD
G.S. 74C-4; 120-122; Chapter 488, 1995 Session Laws

Mr. Tobin Allen Henry	10/31/95	6/30/96
Mr. Melvin Gregory Scott	7/27/95	6/30/98

PROGRESS BOARD, NORTH CAROLINA
G.S. 143B-372.1

Mr. John Candler	12/20/95	6/30/99
Mr. Dan Dawson	12/20/95	6/30/97
Mr. Howard Thomas	12/20/95	6/30/99

PROPERTY TAX COMMISSION
Chapter 488, 1995 Session Laws

Mr. James R. Vosburgh	7/27/95	6/30/97

PUBLIC OFFICERS AND EMPLOYEES LIABILITY INSURANCE COMMISSION

Chapter 488, 1995 Session Laws

Mr. James L. Bichsel	7/27/95	6/30/99

PUBLIC SCHOOL FORUM OF N. C., BOARD OF DIRECTORS

Bylaws

Rep. W. W. Dickson (Reappointment)	2/23/95	1/31/97
Rep. Robert Grady (Resigned)	2/23/95	1/31/97
Rep. Jean Preston	2/23/95	1/31/97
Rep. Fern Shubert (Replaced Rep. Grady)	3/8/95	1/31/97
Rep. Steve Wood	2/23/95	1/31/97

PUBLIC TELECOMMUNICATIONS COMMISSIONERS, BOARD OF

Chapter 488, 1995 Session Laws

Mr. Ralph Burroughs	7/27/95	6/30/97
Mr. D. K. McLaughlin	7/27/95	6/30/97

RAIL COUNCIL, N. C.

G.S. 143B-361

Rep. Danny McComas	7/1/95	6/30/97
Rep. David Miner	7/1/95	6/30/97

RULES REVIEW COMMISSION

G.S. 143B-30.1; 120-122

Mr. Bill Graham	12/6/95	6/30/97
Mr. Ed Shelton	12/6/95	6/30/97

RURAL ECONOMIC DEVELOPMENT CENTER, INC., BOARD OF DIRECTORS

Bylaws

Rep. Monroe Buchanan	8/23/95	12/31/96
Rep. Don Davis	10/4/95	12/31/96
Rep. Wilma Sherrill	8/23/95	12/31/96

SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION

Chapter 542, Part XIV, 1995 Session Laws

Rep. Leo Daughtry, Co-Chair	8/30/95	4/15/96
Rep. Gene Arnold	8/30/95	4/15/96
Rep. Lyons Gray	8/30/95	4/15/96
Rep. Fern Shubert	8/30/95	4/15/96
Mr. Kay Carroll	8/30/95	4/15/96
Dr. Michael L. Walden	8/30/95	4/15/96

SCHOOL FACILITY NEEDS, COMMISSION ON

Chapter 488, 1995 Session Laws

Ms. Jorga Barker	7/27/95	6/30/99
Mr. Harris Blake	7/27/95	6/30/99
Mr. Howard Danieley	7/27/95	6/30/99
Mr. Linwood Parker	7/27/95	6/30/99
Mrs. Lynda Petty	7/27/95	6/30/99

SCHOOL OF SCIENCE AND MATHEMATICS, BOARD OF TRUSTEES OF THE NORTH CAROLINA

G.S. 116-233; 120-121; 120-122; Chapter 488, 1995 Session Laws

Mr. Chandler Bryan	7/27/95	6/30/97
Mr. Jim Peden	7/27/95	6/30/97

SCHOOL TECHNOLOGY COMMISSION

G.S. 115C-102.5; 120-122; Chapter 488, 1995 Session Laws

Ms. Susan Burroughs	7/27/95	6/30/97
Mrs. Betsy Justus	7/27/95	6/30/97
Ms. Judy Kennedy	7/27/95	6/30/97
Mr. Wallace Nelson	7/27/95	6/30/97

SEAFOOD AND AQUACULTURE, JOINT LEGISLATIVE COMMISSION ON

G.S. 120-70.61

Rep. Jean Preston, Co-Chair	3/15/95	1/31/97
Rep. William T. Culpepper, III	3/15/95	1/31/97
Rep. Zeno L. Edwards, Jr. (Replaced Rep. Culpepper)	6/15/95	1/31/97
Rep. Robert Grady	3/15/95	1/31/97
Rep. John Nichols	3/15/95	1/31/97
Rep. Jonathan Robinson (Replaced Rep. Nichols)	9/8/95	1/31/97

SEAFOOD INDUSTRIAL PARK AUTHORITY, N. C.

G.S. 113-315.25; 120-122; Chapter 488, 1995 Session Laws

Mr. John Schrote	7/27/95	6/30/97

SENTENCING AND POLICY ADVISORY COMMISSION, N. C.

G.S. 164-37; 1993 Session Legislation

Rep. Joanne Bowie	8/29/95	6/30/97
Rep. Robert Brawley	8/29/95	6/30/97
Rep. Larry Justus	8/29/95	6/30/97
Mr. McKay Belk	11/30/95	6/30/97

SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, N. C.

G.S. 17E-3; 120-122; Chapter 488, 1995 Session Laws

Sheriff Litchard Hurley	9/1/95	8/31/97

SOUTHEASTERN FARMERS MARKET COMMISSION

G.S. 106-727; Chapter 488, 1995 Session Laws

Mr. Lee Stevens, Jr.	7/27/95	6/30/98
Mr. Kermit Williamson	7/27/95	6/30/98

SOUTHERN GROWTH POLICIES BOARD

G.S. 143-492

Rep. W. Edwin McMahan	6/15/95	1/30/97

SOUTHERN STATES ENERGY BOARD

G.S. 104D-1; 104D-2

Rep. Joe Hackney (Reappointment)	8/29/95	1/30/97

STATE BANKING COMMISSION

Chapter 488, 1995 Session Laws

Mr. Frank H. Dunn, Jr.	7/27/95	6/30/99

STATE GOVERNMENT REORGANIZATION AND PRIVATIZATION STUDY COMMISSION

Chapter 542, Part XXI, 1995 Session Laws

Rep. Richard Morgan, Co-Chair	9/27/95	1/15/97
Mr. Charlie Shelton, Co-Chair	9/27/95	1/15/97
Rep. Rex Baker	9/27/95	1/15/97
Rep. Walter Church	9/27/95	1/15/97
Rep. William T. Culpepper, III	9/27/95	1/15/97
Rep. Lyons Gray	9/27/95	1/15/97
Rep. Wilma Sherrill	9/27/95	1/15/97
Ms. Susan Hutchins	9/27/95	1/15/97
Mr. Bob Luddy	9/27/95	1/15/97

TEACHER ACADEMY BOARD OF TRUSTEES, NORTH CAROLINA

H.B. 229, Section 17.9

Mrs. Judy Corso (Grades 3 through 5)	12/6/95	6/30/97
Mrs. Gayle Mitchell (Grades 6 through 8)	12/6/95	6/30/97
Mrs. Bea Oettinger (Grades K through 2)	12/6/95	6/30/97
Mrs. Johnnie Shane (Grades 9 through 12)	12/6/95	6/30/97

TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, BOARD OF TRUSTEES OF THE
G.S. 135-6; 120-122; Chapter 488, 1995 Session Laws

Mr. P. R. Latta	12/14/94	6/30/95
Mr. Edward S. Goode	7/27/95	6/30/97

TEACHING FELLOWS COMMISSION, N. C.
G.S. 115C-363.23; Chapter 488, 1995 Session Laws

Mr. Franz Holscher	7/27/95	6/30/99
Mrs. Joyce Rhodes	7/27/95	6/30/99

TRANSPORTATION, N. C. BOARD OF
G.S. 143B-350; Chapter 488, 1995 Session Laws

Mr. Tom Darden	7/27/95	6/30/97

TRANSPORTATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE
G.S. 120-70.50

Rep. Joanne Bowie, Co-Chair	8/23/95	1/14/97
Rep. Bobby H. Barbee, Sr.	8/23/95	1/14/97
Rep. Ed Bowen	8/23/95	1/14/97
Rep. J. W. Crawford, Jr.	8/23/95	1/14/97
Rep. George Holmes	8/23/95	1/14/97
Rep. John McLaughlin	8/23/95	1/14/97
Rep. W. Edwin McMahan	8/23/95	1/14/97
Rep. David Miner	8/23/95	1/14/97

TRAVEL AND TOURISM BOARD, N. C.
G.S. 143B-434.1

Rep. William Hiatt	8/23/95	12/31/96
Rep. William Ives	8/23/95	12/31/96
Ms. Carmen Crockett	1/1/95	12/31/96
Mr. Thomas K. Jenkins	1/1/95	12/31/96
Mr. Ronald L. Smith (Reappointment)	1/1/95	12/31/96
Mrs. Sue Wilmoth	1/1/95	12/31/96

UNC CENTER FOR PUBLIC TELEVISION, BOARD OF TRUSTEES OF THE
G.S. 120-121; 120-122; Chapter 488, 1995 Session Laws

Ms. Joan Danieley	7/27/95	6/30/97

UNC, STATUS OF EDUCATION AT
Chapter 321, Section 101.5, 1993 Session Laws

Rep. Robert Grady, Co-Chair	2/7/95	
Rep. Steve Wood	2/7/95	

UTILITY REVIEW COMMITTEE, JOINT LEGISLATIVE

G.S. 120-70.2

Rep. W. W. Dickson, Co-Chair	8/23/95	1/30/97
Rep. Danny McComas	8/23/95	1/30/97
Rep. Richard Morgan	8/23/95	1/30/97
Rep. Dennis Reynolds	8/23/95	1/30/97
Rep. Tim Tallent	8/23/95	1/30/97

VAGABOND SCHOOL OF THE DRAMA, INC., BOARD OF TRUSTEES OF THE

Bylaws (see Flatrock Board of Trustees)

Rep. Lanier Cansler	6/21/95	1/31/97
Rep. William Ives	6/21/95	1/31/97

WELFARE REFORM STUDY COMMISSION

Chapter 24, 1994 Session Laws (EXTRA SESSION);
Chapter 542, Part XXIII, 1995 Session Laws

Rep. Cherie Berry, Co-Chair	9/12/95	2/1/97
Rep. James C. Carpenter	9/12/95	2/1/97
Rep. J. W. Crawford, Jr.	9/12/95	2/1/97
Rep. Charlotte Gardner	9/12/95	2/1/97
Rep. Dewey Hill	9/12/95	2/1/97
Rep. Julia Howard	9/12/95	2/1/97

WETLANDS, LEGISLATIVE STUDY COMMISSION

Chapter 542, Part XXII, 1995 Session Laws

Rep. John Nichols, Co-Chair	9/13/95	1996 G.A.
Rep. Arlie Culp	9/13/95	1996 G.A.
Rep. Norris Tolson	9/13/95	1996 G.A.
Rep. John Weatherly	9/13/95	1996 G.A.
Dr. Ernest A. Carl	9/13/95	1996 G.A.
Mr. John T. Dowd	9/13/95	1996 G.A.
Mr. Donald A. Kirkman	9/13/95	1996 G.A.
Dr. Russ Lea	9/13/95	1996 G.A.

WILDLIFE RESOURCES COMMISSION, N. C.

G.S. 120-122; 143-240; 143-241; Chapter 488, 1995 Session Laws

Mr. James B. Black, Jr.	7/27/95	4/25/97
Mr. Charles Preston	7/27/95	4/25/97
Mr. Ralph Squires	7/27/95	4/25/97

HOUSE SELECT COMMITTEES
APPOINTED BY SPEAKER HAROLD J. BRUBAKER

CERTIFICATES OF NEED, HOUSE INVESTIGATIVE COMMITTEE ON

House Resolution 688

Rep. Richard Morgan, Chair	10/25/95	convening 1997 GA
Rep. James W. Crawford, Jr.	10/25/95	"
Rep. Jerry C. Dockham	10/25/95	"
Rep. Lyons Gray	10/25/95	"
Rep. Larry T. Justus	10/25/95	"
Rep. Carolyn Russell	10/25/95	"

INVESTIGATIVE COMMITTEE ON EXECUTIVE COMPLIANCE, HOUSE SELECT

House Resolution 1, Session 1995, Section V, Rule 26(a), and G.S. 120-19.1

Rep. Richard T. Morgan, Chair	1/4/96	at pleasure of Speaker
Rep. James B. Black	1/4/96	"
Rep. James W. Crawford, Jr.	1/4/96	"
Rep. Lyons Gray	1/4/96	"
Rep. Julia Howard	1/4/96	"
Rep. Danny McComas	1/4/96	"

NON-PROFITS, HOUSE SELECT COMMITTEE ON

House Bill 898, Part III, Sec. 3.2 (b)

Rep. W. Edwin McMahan, Chair	12/6/95	1996 Session of the G.A.
Rep. Joanne W. Bowie	12/6/95	"
Rep. William T. Culpepper, III	12/6/95	"
Rep. Leo Daughtry	12/6/95	"
Rep. Walter W. Dickson	12/6/95	"
Rep. Edd Nye	12/6/95	"
Mr. Henry Carter	12/6/95	"
Mr. Ed Ellis	12/6/95	"
Mr. William L. Spencer	12/6/95	"
Hon. Paul Stam	12/6/95	"

LEGISLATIVE RESEARCH COMMISSION STUDIES
1995

Appointments by Speaker	Appointments by Senate President Pro Tempore

Legislative Research Commission

Speaker Harold J. Brubaker Co-Chair	President Pro Tempore Marc Basnight Co-Chair
Rep. Jerry C. Dockham	Sen. Frank W. Ballance, Jr.
Rep. Larry Linney	Sen. R. L. Martin
Rep. Edd Nye	Sen. Henry McKoy
Rep. Gregory Thompson	Sen. J. K. Sherron, Jr.
Rep. Connie Wilson	Sen. Ed N. Warren

BUDGET AND REVENUE GROUPING
LRC Member: Sen. Robert L. Martin

Revenue and Tax Issues

Rep. Charles B. Neely, Jr., Co-Chair	Sen. John H. Kerr, III, Co-Chair
Rep. Daniel T. Blue, Jr.	Sen. Roy A. Cooper, III
Rep. Lanier M. Cansler	Sen. Fletcher L. Hartsell, Jr.
Rep. J. Russell Capps	Sen. R. C. Soles, Jr.
Rep. Walter G. Church, Sr.	Dr. James Crapo
Rep. George S. Robinson	Mr. Joe Deneke
Rep. Larry Shaw	Mr. Leonard Jones
Rep. Fern Shubert	Mr. James Seay

CIVIL AND CRIMINAL LAW GROUPING
LRC Member: Sen. Frank W. Ballance, Jr.

Criminal Laws, Procedures, and Sentencing

Rep. Michael P. Decker, Co-Chair	Sen. Frank W. Ballance, Jr., Co-Chair
Rep. C. Robert Brawley	Sen. J. Gerald Blackmon
Rep. Joe L. Kiser	Sen. Roy A. Cooper, III
Rep. Hugh A. Lee	Mr. J. C. Cole
Rep. Charles B. Neely, Jr.	Mr. Patrick Matus
Rep. P. Wayne Sexton	Mr. Ronnie E. Meekins, Sr.
Rep. Ronnie N. Sutton	Hon. Billy Smith

Consumer Protection Issues

Rep. Gregory Thompson, Co-Chair	Sen. Luther H. Jordan, Jr., Co-Chair
Rep. Charles M. Beall	Sen. Wib Gulley
Rep. W. Pete Cunningham	Sen. James D. Speed
Rep. Jean Preston	Ms. Janice Aydlett Farr
Rep. Ken Miller	Ms. Ellen Gerber
Rep. John M. Rayfield	Hon. Robert Warren

EDUCATION AND ENERGY CONSERVATION GROUPING

LRC Member: Sen. Ed N. Warren

Education Issues

Rep. Fern Shubert, Co-Chair	Sen. J. Clark Plexico, Co-Chair
Rep. Gene Arnold	Sen. Roy A. Cooper, III
Rep. Willis Brown	Sen. Wib Gulley
Rep. Michael P. Decker	Sen. Teena S. Little
Rep. Rick Eddins	Dr. Charles Coble
Rep. Stanley H. Fox	Mr. Kenny Deloatch
Rep. P. Wayne Sexton	Ms. Cynthia Fields
Rep. Cynthia Watson	Dr. Linda Miller
Rep. Stephen Wood	Ms. Janet Rose
Rep. Douglas Yongue	Mr. Johnny Tillett

Energy Conservation

Rep. Charles Buchanan, Co-Chair	Sen. C. R. Edwards, Co-Chair
Rep. M. W. Aldridge	Sen. Hamilton C. Horton, Jr.
Rep. Foyle Hightower	Sen. Dan R. Simpson
Rep. Mary McAllister	Ms. Marion Deerhake
Rep. Ken Miller	Mr. Norman Mitchell
Rep. Dennis Reynolds	Mr. Chuck Thompson

ELECTION LAWS REFORM
LRC Member: Rep. Connie Wilson

Rep. Lanier Cansler, Co-Chair	Sen. Wib Gulley, Co-Chair
Rep. Willis Brown	Sen. Daniel E. Page
Rep. Frances Cummings	Sen. J. Clark Plexico
Rep. Linwood Mercer	Sen. Leslie Winner
Rep. John M. Rayfield	Ms. Sara Gulledge
Rep. John Weatherly	Mr. Jerry Meek
	Mr. Lee Mortimer

ENVIRONMENT GROUPING
LRC Member: Sen. Henry McKoy

Atlantic States Marine Fisheries Compact Withdrawal

Rep. Jonathan Robinson, Co-Chair	Sen. Charles W. Albertson, Co-Chair
Rep. Zeno L. Edwards, Jr.	Sen. R. C. Soles, Jr.
Rep. John M. Nichols	Mr. Norman Bradford
Rep. Jean R. Preston	Mr. John D. Costlow
Rep. William O. Richardson	Mr. James C. Fletcher
Mr. Jerry F. Schill	Mr. Melvin M. Shepard, Jr.

Water Issues

Rep. Cary D. Allred, Co-Chair	Sen. James D. Speed, Co-Chair
Rep. Arlie F. Culp	Sen. Donald E. Kincaid
Rep. Howard J. Hunter, Jr.	Sen. R. L. Martin
Rep. William M. Ives	Mr. Melvin Daniels
Rep. W. Franklin Mitchell	Mrs. Frankie Harvey
Rep. E. Norris Tolson	Mr. Vernon James

FAMILY AND JUVENILE LAW GROUPING

LRC Member: Rep. Edd Nye

Grandparent Visitation Rights

Rep. Gene Wilson, Co-Chair	Sen. James Forrester, Co-Chair
Rep. Charles M. Beall	Sen. Jeanne H. Lucas
Rep. William T. Culpepper, III	Sen. James D. Speed
Rep. Michael P. Decker	Ms. Shellie Bellairs
Rep. Cynthia B. Watson	Ms. Roxanne Bragg-Cash
Rep. Michael S. Wilkins	Ms. Shirley Hassell

Guardian Ad Litem Program

Rep. William S. Hiatt, Co-Chair	Sen. Frank W. Ballance, Jr., Co-Chair
Rep. J. Russell Capps	Sen. R. L. Martin
Rep. Robert J. Hensley, Jr.	Mr. Al Deitch
Rep. Eugene Rogers	Ms. Katie Holliday
Rep. Gregory Thompson	Judge William Jones
Judge William E. Neely	Ms. Carol Mattocks
Dr. Stephen R. Shaffer	Judge Jerry Tillett

INSURANCE LAWS AND FINANCIAL INSTITUTIONS GROUPING

LRC Member: Rep. Jerry C. Dockham

Financial Institutions Issues

Rep. Timothy N. Tallent, Co-Chair	Sen. Ed N. Warren, Co-Chair
Rep. Walter Church	Sen. Frank W. Ballance, Jr.
Rep. Rick Eddins	Sen. J. Gerald Blackmon
Rep. Eugene McCombs	Sen. Thomas B. Sawyer
Rep. John Nichols	Mr. George M. Anderson
Rep. Liston Ramsey	Mr. J. K. Long
Mr. Charles D. Barbour	Mr. James T. Wilkerson

Insurance Issues

Rep. John Cocklereece, Co-Chair	Sen. R. C. Soles, Jr., Co-Chair
Rep. J. William Hurley	Sen. C. R. Edwards
Rep. Edwin McMahan	Ms. Marcia Fearing
Rep. David Miner	Ms. Mollie Fearing
Rep. Michael Wilkins	Mr. John Gainey
Mr. John R. Hicks	Mr. Jerry Harris
Mr. Elmer Midgett, Jr.	Mr. William Z. Smith
Mr. Steve George	Mr. Durant G. Vick

LABOR AND PERSONNEL GROUPING

LRC Member: Rep. Gregory Thompson

Personnel Issues

Rep. Wilma Sherrill, Co-Chair	Sen. R. C. Soles, Jr., Co-Chair
Rep. Arlie F. Culp	Sen. Charlie S. Dannelly
Rep. Robert Grady	Sen. Fred M. Hobbs
Rep. Eugene McCombs	Sen. James D. Speed
Rep. Arlene Pulley	Mr. C. R. Chapman
Rep. Liston Ramsey	Mr. E. Clark Edwards
Rep. John M. Rayfield	Mr. Dan Emory
Rep. Carolyn Russell	Mr. Ira Schwarz
Rep. Norris Tolson	Mr. Robert W. Trost

Workers' Compensation

Rep. J. Shawn Lemmond, Co-Chair	Sen. John H. Kerr, III, Co-Chair
Rep. Gene G. Arnold	Sen. Donald R. Kincaid
Rep. Bobby H. Barbee	Sen. R. C. Soles, Jr.
Rep. Hugh A. Lee	Sen. Ed N. Warren
Rep. Daniel F. McComas	Mrs. Bernadine Ballance
Rep. Joanne Sharpe	Dr. Erin Kuczmarski
Mr. Brad Moock	Mr. William Stephenson

PROPERTY ISSUES GROUPING
LRC Member: Rep. Larry Linney

Lien Laws

Rep. Edwin McMahan, Co-Chair	Sen. Roy A. Cooper, III, Co-Chair
Rep. Daniel T. Blue, Jr.	Sen. Fletcher L. Hartsell, Jr.
Rep. Charles F. Buchanan	Sen. Hamilton C. Horton, Jr.
Rep. John J. Hunt	Sen. R. C. Soles, Jr.
Rep. W. Eugene McCombs	Mr. Jim Boniface

Property Issues

Rep. J. Samuel Ellis, Co-Chair	Sen. Fletcher L. Hartsell, Jr., Co-Chair
Rep. Cary D. Allred	Sen. John H. Carrington
Rep. Beverly M. Earle	Sen. T. L. Odom
Rep. J. William Hurley	Mr. Dan Clodfelter
Rep. Arlene Pulley	Mr. Webb Fuller
Rep. Wilma M. Sherrill	Mr. Franz Holscher
Rep. Larry W. Womble	Mr. John M. Tyson
Hon. Robert Northington, Jr.	Dean Judith Wegner

REGULATION GROUPING
LRC Member: Sen. J. K. Sherron

State Purchasing and Correction Enterprises

Rep. P. Wayne Sexton, Co-Chair	Sen. J. K. Sherron, Jr., Co-Chair
Rep. Stanley H. Fox	Sen. John H. Carrington
Rep. J. Shawn Lemmond	Sen. R. L. Martin
Rep. W. Franklin Mitchell	Sen. Thomas B. Sawyer
Rep. Alex Warner	Hon. Howard N. Lee

Downtown Revitalization

Rep. Donald S. Davis, Co-Chair	Sen. J. K. Sherron, Jr., Co-Chair
Rep. C. Robert Brawley	Sen. Robert G. Shaw
Rep. Stanley H. Fox	Mr. Milton Fields
Rep. Dewey L. Hill	Mr. Mike Schneiderman
Rep. Larry Shaw	Mr. Brad Thompson

STATE GOVERNMENT REORGANIZATION AND PRIVATIZATION

Rep. Richard Morgan, Co-Chair	Sen. David W. Hoyle, Co-Chair
Mr. Charlie Shelton, Co-Chair	Hon. Howard N. Lee, Co-Chair
Rep. Rex Baker	Sen. Hamilton C. Horton, Jr.
Rep. Walter Church	Sen. John H. Kerr, III
Rep. William T. Culpepper, III	Sen. J. Clark Plexico
Rep. Lyons Gray	Sen. Anthony E. Rand
Rep. Wilma Sherrill	Sen. J. K. Sherron, Jr.
Mrs. Susan Hutchins	Mr. James E. Harrington
Mr. Bob Luddy	Mr. Chuck Hunt
Mr. J. Arthur Pope	Mr. R. V. Owens

EXECUTIVE BUDGET ACT REVISION

Rep. Lyons Gray, Co-Chair	Sen. Aaron W. Plyler, Co-Chair
Rep. Gene G. Arnold	Sen. Betsy Cochrane
Rep. Jerry Braswell	Sen. R. L. Martin
Rep. Lanier Cansler	Sen. William N. Martin
Rep. George M. Holmes	Sen. T. L. Odom
Rep. Liston Ramsey	Ms. Susan Ehringhaus
Mr. Paul Fulton	Hon. George Daniel
Mr. James E. Harrington	Hon. Kenneth C. Royall

1995-1996
APPOINTMENTS BY THE SPEAKER TO THE STANDING COMMITTEES OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES

ASSEMBLY ON STATE ISSUES

COMMITTEE	APPOINTEE
Arts and Tourism	Rep. Bill Hiatt
	Rep. Dennis Reynolds
	Rep. Gene Wilson

Children, Families, & Health	Rep. Cherie Berry Rep. Julia Howard Rep. Charlotte Gardner
Commerce, Labor & Economic Development	Rep. George Robinson Rep. Robert Brawley Rep. Jim Crawford
Communications & Information Policy	Rep. Tim Tallent Rep. Ken Miller
Criminal Justice	Rep. Robert Hensley, Jr. Rep. Larry Linney
Education	Rep. Steve Wood Rep. Frances Cummings
Fiscal, Oversight & Intergovernmental Affairs	Rep. Billy Creech Rep. Sam Ellis Rep. Carolyn Russell
Legislative Management	Denise Weeks, Principal Clerk Rep. Richard Morgan
Science, Energy & Environmental Resources	Rep. John Nichols Rep. Robert Brawley Rep. Wayne Sexton
Task Force on Developmental Disabilities	Rep. Theresa Esposito Rep. Martha Alexander Rep. Debbie Clary
Reapportionment Task Force	Rep. Leo Daughtry Rep. Robert Grady

1995-1996
APPOINTMENTS BY THE SPEAKER TO THE STANDING COMMITTEES OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES

ASSEMBLY ON FEDERAL ISSUES

COMMITTEE	APPOINTEE	ALTERNATE
Agriculture & International Trade	Rep. J. Brown	Rep. Bowen
Commerce & Communications	Rep. Cansler	Rep. Shubert
Education, Labor & Job Training	Rep. K. Miller	Rep. Redwine
Energy & Transportation	Rep. Arnold	Rep. Russell
Environment	Rep. Nichols	Rep. Hackney
Federal Budget & Taxation	Rep. Capps	Rep. C. Wilson
Health	Rep. Aldridge	Rep. Edwards
Human Services	Rep. Dickson	Rep. Nye
Law & Justice	Rep. Justus	Rep. Thompson

1995-1996
APPOINTMENTS BY THE SPEAKER TO SOUTHERN LEGISLATIVE CONFERENCE COMMITTEES

Committee	Member	Alternate
Executive Committee	Speaker Harold J. Brubaker	Speaker Pro Tempore Carolyn Russell
Agriculture & Rural Development	Rep. John Brown Rep. Arlie Culp	Rep. Jim Carpenter Rep. Dewey Hill

Economic & Cultural Development	Rep. George Robinson Rep. John Rayfield	Rep. Jean Preston Rep. Bill Hurley
Education	Rep. Steve Wood Rep. Robert Grady	Rep. Frances Cummings Rep. Gene Rogers
Energy	Rep. John Weatherly Rep. L. W. Locke	Rep. Gene McCombs Rep. Stan Fox
Environmental Quality & Natural Resources	Rep. John Nichols Rep. Frank Mitchell	Rep. Norris Tolson Rep. Alex Warner
Federal Preemption & State/Federal Affairs	Rep. Bill Ives Rep. Don Davis	Rep. Wilma Sherrill Rep. Pete Oldham
Fiscal Affairs & Government Operations	Rep. Theresa Esposito Rep. George Holmes Rep. Gene Arnold	Rep. Connie Wilson Rep. George Miller
Human Resources	Rep. Charlotte Gardner Rep. Debbie Clary	Rep. Robin Hayes Rep. Edd Nye
Justice & Consumer Affairs	Rep. Gregg Thompson Rep. Jerry Dockham	Rep. Billy Richardson Rep. Linwood Mercer
Transportation	Rep. David Miner Rep. Bill Owens	Rep. Joanne Bowie Rep. Rick Eddins

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL 65

PCCS 6182, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS IN PUBLIC SCHOOL CLASSROOMS AND TO ENCOURAGE THE RECITAL OF THE PLEDGE OF ALLEGIANCE IN THE PUBLIC SCHOOLS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-47 is amended by adding a new subdivision to read:

"(29a) To Encourage the Display of the United States and North Carolina Flags, and to Encourage the Recitation of the Pledge or Oath of Allegiance. Local boards of education are encouraged to adopt policies to (i) provide for the display of the United States and North Carolina flags in each classroom, (ii) provide the opportunity for students to

recite the Pledge or Oath of Allegiance on a regular basis, and (iii) provide age appropriate instruction on the meaning and historical origins of the flag and the Pledge of Allegiance. These policies shall not compel any person to stand, salute the flag, or recite the Pledge of Allegiance. If flags are donated or are otherwise available, flags shall be displayed in each classroom."

Sec. 2. This act is effective upon ratification. Section 1 of this act shall be fully implemented no later than January 1, 1996.

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL 16

PCCS 9536, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO RECOMMEND CHANGES IN THE PUBLIC SCHOOL SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. The State Board of Education shall examine the structure and functions of the State public school system with a view to improving student performance, increasing local flexibility and control, and promoting economy and efficiency, and shall recommend changes in the public school system to the General Assembly. In carrying out this examination, the State Board of Education shall consider ways to reorder priorities and place greater emphasis on the basics - reading, communication skills, and mathematics - in the areas of staff development, the State testing program, the State accreditation program, the use of remediation funds, the instructional program, and other components of the State public school system. The State Board of Education shall also consider the impact the changes it is considering will have on the mission of the Department of Public Instruction.

The State Board shall make a preliminary report to the General Assembly prior to May 1, 1995, and a final report prior to March 1, 1996, on the results of its examination of the State public school system. The report shall include any proposed legislation necessary to implement the State Board's recommendations.

Sec. 2. The State Board of Education shall also examine the administrative organization of the Department of Public Instruction with a view to (i) increasing local flexibility and local control of education, (ii) promoting economy and efficiency in government in the interest of producing cost savings that can be used to provide funds for textbooks, school supplies, and equipment, and for reducing class size, and (iii) improving student performance. The State Board of Education, as a result of these examinations, shall propose necessary changes in the mission of the Department of Public

Instruction and methods of implementing those changes. The State Board of Education shall develop a plan for reducing, eliminating, and/or reorganizing the Department of Public Instruction. A reorganization may include the assignment or reassignment of the Department's duties and functions among divisions and other units, division heads, officers, and employees.

The proposed reduction, elimination, and/or reorganization of the Department shall have a goal of resulting in a decrease of at least fifty percent (50%) in the number of employee positions assigned to the Department and a decrease of at least fifty percent (50%) in the Department's budget by January 1, 1996.

The State Board of Education shall make a preliminary report to the General Assembly prior to March 31, 1995, and a final report prior to May 1, 1995, on the reduction, elimination, and/or reorganization plan it develops.

Sec. 3. The State Board of Education shall fully inform and consult with the Superintendent of Public Instruction and the chairs of the Education Committees and the Education Appropriation Subcommittees of the Senate and the House of Representatives on a regular basis as the Board carries out its duties under this act.

Sec. 4. The Director of the Budget shall authorize the expenditure of up to one hundred thousand dollars ($100,000) from existing funds by the State Board of Education to contract for outside consultants and assistance to assist the State Board in carrying out its duties under this act. The Office of State Budget and Management, the State Auditor, and other appropriate State agencies shall also provide consultation as requested by the chairman of the State Board of Education as needed to develop the plans set out in this act.

Sec. 5. This act is effective upon ratification.

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL 974

PCCS 9445, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO PERFORMS THE LAND APPLICATION OF ANIMAL WASTE FROM SWINE PRODUCTION TO BE CERTIFIED.

The General Assembly of North Carolina enacts:

Section 1. Article 21 of Chapter 143 of the General Statutes is amended by adding a new Part to read:

"Part 9A. Application of Animal Waste.

"**§ 143-215.74C. Definitions.**

As used in this Part:

(1) 'Animal waste' means liquid residuals, resulting from the raising of swine (Sus scrofa), that are collected, treated, stored, or applied to the land through an animal waste management system.

(2) 'Animal waste management system' means a combination of structural and nonstructural practices that will properly collect, treat, store, or apply animal waste to the land such that no discharge of pollutants occurs to surface waters of the State by any means except as a result of a storm event more severe than the 25-year, 24-hour storm. For purposes of this Part, 'animal waste management system' means a system that is designed to manage and that actually serves more than 250 swine (Sus scrofa).

(3) 'Application' means laying, spreading on, irrigating, or injecting animal waste onto land.

(4) 'Owner' means the person who owns or controls the land used for agricultural purposes or the person's lessee or designee.

(5) 'Operator in charge' means a person who holds a currently valid certificate to operate an animal waste management system and who has primary responsibility for the operation of the system.

"§ 143-215.74D. Purpose; animal waste management required; certified operators required.

(a) The purpose of this Part is to reduce nonpoint source pollution in order to protect the public health and to conserve and protect the quality of the State's water resources and to encourage the development and improvement of the State's agricultural land for the production of food and other agricultural products.

(b) Animal waste subject to this Part shall be managed so that the application of the waste does not cause a discharge of pollutants to the surface waters of the State, except as a result of a storm event more severe than a 25-year, 24-hour storm.

(c) Only an operator in charge or a person under the supervision of an operator in charge may apply animal waste to the land. The owner or other person in control of the land used for the swine production is responsible for ensuring that the application is performed by an operator in charge or person under the supervision of an operator in charge.

(d) This Part is not intended to supplant any permit otherwise required to be obtained from the Department for the discharge of an animal waste.

"§ 143-215.74E. Qualifications for operators of animal waste management systems; issuance of certificates.

(a) The Department, in cooperation with the Cooperative Extension Service, shall develop and administer a training and certification program for the operator in charge of an animal waste management system. Each applicant shall complete six hours of instruction on the operation of animal waste management systems. The Department shall issue a certificate as an operator in charge to a person who completes the instructional requirements established by this subsection, demonstrates competence in the operation of animal waste management systems by passing an appropriate examination, and pays a ten dollar ($10.00) fee.

(b) The certificate shall be renewed annually, provided that the training and

examination requirements established under subsection (a) of this section shall be completed at least once every five years. The annual renewal fee shall be ten dollars ($10.00).

(c) In addition to other penalties authorized by law, the Department may assess a civil penalty of up to one thousand dollars ($1,000) against a person who violates this Part and, in accordance with the procedure set forth in Chapter 150B of the General Statutes, may suspend or revoke a certificate or may issue a written reprimand to an operator in charge if it finds that the operator in charge has practiced fraud or deception; that reasonable care, judgment, or the application of his knowledge or ability was not used in the performance of his duties; or that the operator in charge is incompetent or unable to properly perform his duties.

(d) The Department shall adopt rules to implement this Part."

Sec. 2. G.S. 143-215.74E(d), as enacted by Section 1 of this act, is effective upon ratification. All other provisions of this act become effective 1 January 1997.

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January 1995 - January 1996

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73	Suspension of Rules During Local Emergencies

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Bullock, Joyce	Financial Institutions
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H 230 1995 EXPANSION/CAPITAL BUDGET (Ratified Ch.0507) . 136, 1297, 1311, 1315, 1338, 1447, 1454, 1464, 1573, 1574, 1575, 1592.

H 898 1995 STUDIES (Ratified Ch.0542) ..... 485, 1557, 1580, 1596, 1598, 1599, 1619.

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H 1048 AID TO FAMILIES WITH DEPENDENT CHILDREN-EMERGENCY ASSISTANCE FUNDS (Approp - Human Resources) ..... 740, 1083.

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H 356 ANIMAL WASTE MANAGEMENT FUNDS
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H 390 APPALACHIAN STATE UNIVERSITY SELF-LIQUIDATING PROJECT AUTHORITY
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H 433 APPRENTICESHIP EXPANSION FUNDS
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H 994 APPROPRIATIONS FEE PROVISIONS
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H 384 BIOLOGICAL PEST CONTROL FUNDS
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H 1025 BRAILLE LITERACY
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H 292 CHILD CENTER FUNDS
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H 261 CHILD DAY CARE RATES/FUNDS
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H 168 CHILD SUPPORT CHANGES
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H 258 CHILDCARE ELIGIBILITY INCREASE/FUNDS
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H 796 CHILDREN'S VACCINE FUNDS
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H 259 DAY CARE PROVIDER RECORDS
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H 1000 DEAF SCHOOL CHANGES/FUNDS
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H 1008 DEPARTMENT OF COMMUNITY COLLEGES/
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H 1022 EARLY CHILDHOOD DEVELOPMENT FUNDS (Approp - Human Resources) . . . . . 703, 1083.

H 363 EASTERN SCHOOL FOR DEAF CENTER FUNDS (Approp - Human Resources) (Included Ch.0507) . . . . . 199, 1074, 1162.

H 74 EDUCATION FOUNDATION FUNDS (Approp - Education) . . . . . 62, 975, 1073.

H 299 ELDERLY AND DISABLED MEDICAID FUNDS (Approp - Human Resources) . . . . . 157, 1081.

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H 402 FOSTER PARENT CRIMINAL CHECKS (Senate) ..... 220, 264, 700, 708, 1081, 1334, 1393, 1430, 1443, 1461.

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H 153 FUND SHELLFISH LEASE PROGRAM (Approp - Natural & Economic Resources) ..... 88.

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H 540 HIGHWAY BOND ACT OF 1995
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H 699 HOSPICE STUDIES FUNDS
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H 101 INCREASE IN-HOME FUNDS
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H 622 INDIAN CULTURAL CENTER FUNDS
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H 1046 INDUSTRIAL COMMISSION FUNDS
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H 719 INTERACTIVE VISUAL TECHNOLOGIES FUNDS
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H 355 IRRIGATION ADVISORY SERVICE FUNDS
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H 266 JUDICIAL CENTER FUNDS
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H 1031 MACHINING TECHNOLOGY PARTNERSHIP FUNDS (Approp - Education) (Included Ch.0507) ..... 737.
H 1035 MARINE SCIENCES FUNDS (Approp - Education) (Included Ch.0507) ... 737, 1075.
H 831 MENTAL HEALTH AREA AUTHORITY FACILITIES (Ratified Ch.0305) ..... 463, 768, 829, 1182.
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H 217 MINORITY MALES STUDY CONTINUATION (Rules, Calendar & Operations of the House) ..... 128.
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H 440 MURDOCH CENTER CAPITAL FUNDS (Approp - Human Resources) ..... 228, 1082.
H 1037 MUSEUM MAGIC FUNDS (Approp - General Government) ..... 738, 1079.
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H 1012 NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AGRICULTURAL RESEARCH FUNDS (Approp - Education) ..... 701, 1075.
H 1044 NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY CLASSROOM FUNDS (Approp - Education) (Included Ch.0507) ..... 739, 1076.
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H 794 NORTH CAROLINA STATE UNIVERSITY FORESTRY GENETICIST FUNDS
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H 1011 NORTH CAROLINA STATE UNIVERSITY TURFGRASS RESEARCH FUNDS
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S 318 OLDER ADULTS UPDATE
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H 375 OUT-OF-STATE INMATES/FUNDING
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H 902 PARENTS AS TEACHERS PROGRAM FUNDS
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H 718 PARKS AUTHORITY/TRUST FUNDS
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H 1038 PRISONS ACT OF 1995/FUNDS
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H 306 PROVISIONS EXTENDED
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H 389 PUBLIC SCHOOL BUILDING BOND ACT OF 1995
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H 771 PUBLIC SCHOOL BUILDING BOND ACT OF 1995
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H 982 PUBLIC SCHOOL BUILDING FUNDS
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H 1038 REGIONAL PRISONS ACT OF 1995/FUNDS
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H 993 REGULATORY FEE PROVISIONS
(Ratified Ch.0178) . . . . . 591, 606, 669, 877, 885, 1009.
H 379 REPEAL CERTAIN ASSET TRANSFER PENALTIES
(Approp - Human Resources) . . . . . 202, 1081.
H 191 REQUIRE FISCAL NOTE/SUBJECT MATTER NOTICE
(Appropriations) . . . . . 115, 209.
H 262 RESOURCE AND REFERRAL FUNDS
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H 866 RESTORE PRIVATE PROPERTY RIGHTS/FUNDS
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H 579 RURAL ECONOMIC DEVELOPMENT FUNDS
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H 78 SCHOOL BUILDING STUDY COMMISSION
(Rules, Calendar & Operations of the House)
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H 1026 SCHOOL CENTRAL OFFICE PERSONNEL SALARIES
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H 946 SCHOOL CENTRAL OFFICE SALARIES
(Approp - Education) . . . . . 494.
H 947 SCHOOL CENTRAL OFFICE SALARIES
(Approp - Education) . . . . . 494.
H 6 SCHOOL FLEXIBILITY/ACCOUNTABILITY
(Ratified Ch.0450) (S 99) . . . . . 44, 547, 585, 597, 1058, 1089, 1171, 1200, 1418, 1436, 1451, 1467.
S 99 SCHOOL FLEXIBILITY/ACCOUNTABILITY
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(H 6) . . . . . 582.
H 804 SCHOOL IMPROVEMENT INCENTIVES/FUNDS
(Approp - Education) . . . . . 458, 1207.

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H 110 SCHOOL LIABILITY INSURANCE FUNDS
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H 1040 SCHOOL NURSES/FUNDS
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H 1027 SCHOOL TEXTBOOK FUNDS
(Approp - Education) ..... 736.
H 285 SCHOOL-BASED HEALTH FUNDS
(Approp - Natural & Economic Resources) .. 154, 1086.
H 1009 SEAT BELTS ON NEW SCHOOL BUSES
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H 901 SENIOR CENTERS FUNDS
(Approp - Human Resources) ..... 485, 1082.
H 1023 SENIOR CENTERS FUNDS
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H 1017 SMALL BUSINESS DEVELOPMENT ACT
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S 572 SMALL BUSINESS SURETY BONDS
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H 824 SOIL SURVEY POSITIONS FUNDS
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H 547 SOUTHEASTERN FARMERS' MARKET FUNDS
(Approp - Natural &
Economic Resources) ..... 329, 1079, 1161.
H 886 STATE AUTHORITY/FEDERAL CLEAN WATER ACT
(Rules, Calendar & Operations of the House)
(Included Ch.0542) ..... 482, 1121, 1533.
H 184 STATE EMPLOYEE LIABILITY TRUST FUND
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H 279 STATE ENERGY POLICY
(Finance) ..... 153, 183.
H 1054 STATE FIRE AND RESCUE COMMISSION
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H 60 STATE PARKS STUDY COMMISSION
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H 925 STATE PERSONNEL ACT EMPLOYEE PAY RAISE
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S 52 STATE-OWNED SUBMERGED LANDS
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(H 67) 101, 683, 918, 1136, 1285, 1309,
1377, 1398, 1431, 1434, 1542, 1552, 1618.
H 67 STATE-OWNED SUBMERGED LANDS STUDY
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H 286 STUDENTS AGAINST DRUNK DRIVERS COORDINATOR FUNDS
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H 1051 STUDY ABILITY GROUPING/TRACKING
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H 297 SUBSTANCE ABUSE/JUVENILE FUNDS
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H 234 SUPPLEMENT/YOUTH SERVICE TEACHERS
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H 129 TAXPAYER BILL OF RIGHTS
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H 3 TAXPAYER PROTECTION ACT
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H 410 TEACHERS-STAFF DEVELOPMENT DAYS
(Approp - Education) . . . . . 222, 470.
H 1015 TEXTBOOK DEVELOPMENT FUNDS
(Approp - Education) . . . . . 702, 1075.
H 1024 "THOMAS S." CLASS MEMBERS FUNDS
(Approp - Human Resources) . . . . . 703, 1083.
H 187 TORT LIABILITY/IMMUNITY STUDY
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H 100 TRANSPORTATION FUNDS
(Approp - Transportation) . . . . . 70.
H 544 TREATMENT AND EDUCATION OF AUTISTIC AND OTHER COMMUNICATION-HANDICAPPED CHILDREN AND ADULTS PROGRAM FUNDS
(Approp - Education) . . . . . 317.
H 818 UNIVERSITY OF NORTH CAROLINA PUBLIC TELEVISION TOWER FUNDS
(Approp - Education) (Included Ch.0507) . . . 461, 1074.
H 984 UNIVERSITY OF NORTH CAROLINA SELF-LIQUIDATING CAPITAL PROJECTS
(Senate) (Included Ch.0507) . . . . 548, 1398, 1446, 1461.
H 1019 UNIVERSITY OF NORTH CAROLINA VISUAL IMPAIRMENT FUNDS
(Approp - Education) (Included Ch.0507) . . . . . 702.
H 172 UNIVERSITY OF NORTH CAROLINA-WILMINGTON MARINE SCIENCES FUNDS
(Appropriations) (Included Ch.0507) . . . . . 100.

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H 841 VETERANS HOME SIZE REDUCED (Rules, Calendar & Operations of the House) ..... 473, 565, 630, 645, 694.

H 11 VETO (Judiciary I) ..... 46.

H 45 WATER RESOURCES INTERNSHIP FUNDS (Approp - Education) ..... 56.

H 989 WESTERN JUSTICE ACADEMY FUNDS (Approp - Justice & Public Safety) ..... 581, 1085.

H 484 WESTERN NORTH CAROLINA FARMERS MARKET BUILDING FUNDS (Approp - Natural & Economic Resources) ..... 266, 1078, 1161.

H 482 WESTERN NORTH CAROLINA FARMERS MARKET IMPROVEMENT FUNDS (Approp - Natural & Economic Resources) ..... 266, 1078, 1161.

H 483 WESTERN NORTH CAROLINA FARMERS MARKET OPERATING FUNDS (Approp - Natural & Economic Resources) ..... 266, 1078, 1161.

H 143 WORKERS' COMPENSATION CREDIT FOR DRUG PROGRAM (Business & Labor) .. 86, 240, 973.

S 931 WORKERS' COMPENSATION SELF-INSURED SAFEGUARDS (Ratified Ch.0471) ..... 1308, 1359, 1416, 1482, 1531.

S 973 WORKERS' COMPENSATION RATING LAW (Ratified Ch.0505) ..... 1360, 1417, 1477, 1530, 1565.

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H 182 IMMUNITY FOR VOLUNTEER ENGINEERS (Judiciary I) (S 119) ..... 113.

S 119 IMMUNITY FOR VOLUNTEER ENGINEER/ARCHITECT (Ratified Ch.0416) (H 182) ..... 233, 235, 1070, 1153, 1197, 1249, 1250, 1376, 1383, 1385, 1396.

H 473 LIMITED LIABILITY COMPANIES (Ratified Ch.0351) ..... 255, 573, 645, 665, 1236, 1277, 1283.

ARCHIVES AND HISTORY (G.S. 121)

H 229 1995 CONTINUATION BUDGET (Ratified Ch.0324) ..... 135, 618, 666, 670, 678, 913, 918, 941, 947, 1214, 1220, 1221, 1231, 1238.

S 229 DONATIONS OF CONSERVATION LAND (Ratified Ch.0443) ..... 250, 1296, 1391, 1407, 1467.

ARCHIVES AND HISTORY (G.S. 121)-Contd.
H 855 LOCAL GOVERNMENT CONTRACTING
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H 27 ABSENTEE VOTING REVISION
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S 487 ADJUTANT GENERAL
(Ratified Ch.0122) ..... 863, 946, 958, 960.
S 56 ANTIQUATED LAWS REPEALED
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H 90 CONCEALED HANDGUN PERMIT
(Ratified Ch.0398) ..... 67, 392, 530, 638, 663, 690, 693, 1345, 1369, 1381.
S 1100 HONORING 82ND AIRBORNE DIVISION
(Rules, Calendar & Operations of the House) ..... 1549.
H 987 HONORING STATE DEFENSE MILITIA
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H 981 HONORING UNDERAGE VETERANS
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H 147 OFF-DUTY OFFICER/CONCEALED WEAPON
(Judiciary I) ..... 87, 392.
H 71 SCHOOL WEAPON EXEMPTION
(Ratified Ch.0049) ..... 62, 121, 138, 582, 596, 598.

ARNOLD, GENE G.
BILLS INTRODUCED - 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 38, 44, 65, 80, 94, 105, *122, *123, 130, 138, 142, 159, 161, 165, 191, 192, 207, *210, 220, 223, 236, 244, 245, 246, 252, 318, 326, 331, 365, 387, *406, 407, 442, 443, 453, 454, 455, *456, 463, 467, 468, 474, *477, 479, 487, 488, 496, 500, *522, 531, 540, 556, 597, 601, 617, 624, 641, 721, 722, 752, 776, 781, 808, 809, 820, 835, 836, 852, 860, 871, 877, *882, *883, *885, *924, 935, *964, *1015, 1027, 1041, *1070.
COMMITTEE ASSIGNMENTS - Agriculture; Education - Subcommittee on Preschool, Elementary and Secondary Education; Finance, Co-Chair; Ways and Means.
CONFEREE: S.B. 649
EXCUSED VOTE: S.B. 1086 ..... 1093.
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SECONDS ADJOURNMENT ..... 900.
SECONDS NOMINATION OF REPRESENTATIVE HAROLD BRUBAKER AS SPEAKER ..... 19.

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S 289 ASHE COMMISSIONER ELECTIONS (Ratified Ch.0091) ..... 677, 893, 907, 911.
H 690 ASHE GUN PERMITS (Ratified Ch.0304) ..... 381, 790, 816, 1182.
S 476 ASHE SCHOOL ELECTIONS (Ratified Ch.0128) ..... 772, 934, 965, 971.
S 104 REVENUE LAWS TECHNICAL CHANGES (Ratified Ch.0017) ..... 159, 248, 270, 281, 324.

ATTORNEYS-AT-LAW (G.S. 84)
H 863 ATTORNEY GRIEVANCE PROCEDURE (Judiciary I) ..... 477.
H 761 FOREIGN LEGAL CONSULTANTS (Ratified Ch.0427) ..... 424, 546, 961, 979, 999, 1377, 1386, 1405, 1415.
H 774 HEALTH CARE COLLABORATIVE PRACTICE (Ratified Ch.0382) ..... 437, 686, 798, 818, 1308, 1347, 1358.
H 867 PUBLIC MEMBERS/STATE BAR COUNCIL (Judiciary I) ..... 478.
S 901 PRESIDENT PRO TEMPORE'S APPOINTMENTS (Ratified Ch.0490) ..... 865, 1416, 1510, 1554.
H 33 REAL ESTATE RENEWAL FEES (Ratified Ch.0022) ..... 51, 110, 320, 333, 405.
S 166 REGULATION OF ATTORNEYS-AT-LAW (Ratified Ch.0431) ..... 811, 974, 1145, 1198, 1209, 1298, 1433.

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H 697 AVERY FORCE ACCOUNT (Ratified Ch.0175) ..... 382, 620, 648, 1009.
H 628 AVERY SCHOOL ELECTIONS (Ratified Ch.0071) ..... 360, 545, 584, 732.

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H 69 BEECH MOUNTAIN ASSESSMENTS
(Ratified Ch.0133) ..... 61, 696, 747, 971.

H 68 BEECH MOUNTAIN SMOKE DETECTORS
(Ratified Ch.0162) ..... 61, 696, 746, 1007.

H 574 LINVILLE LAND HARBOR INCORPORATED
(Ratified Ch.0348) ..... 339, 518, 889, 896, 906, 1283.

S 104 REVENUE LAWS TECHNICAL CHANGES
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BAKER, REX L.

APPROVAL OF VOTE CHANGE ON H.B. 300 ..... 651.

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BILLS INTRODUCED - 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 38, 44, 65, 125, 127, 130, 142, 170, 175, 189, 192, 200, 210, 220, 223, 236, 242, 313, 314, 315, 326, 357, 365, *398, *399, 450, 467, 468, 477, 479, 481, 496, 501, 540, 569, 571, 573, 585, *591, 597, *605, 624, 635, 718, 721, *723, 733, 734, 735, 743, 744, 776, 781, 785, *789, 794, 811, 820, 834, 836, 852, 882, 886, 899, 904, 921, 936, 938, 939, *943, 1000, 1041, 1050.

COMMITTEE ASSIGNMENTS - Agriculture; Appropriations - Subcommittee on Natural and Economic Resources; Business and Labor - Subcommittee on Economic Expansion and Growth; State Government, Vice Chair; State Government - Subcommittee on State Parks, Facilities and Property, Chair.

EXCUSED VOTE: S.B. 237 ..... 1367.

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SECONDS ADJOURNMENT ..... 404.

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S 590 1995 TECHNICAL CORRECTIONS
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S 430 BANK INVESTMENT AUTHORITY
(Ratified Ch.0417) . 467, 1216, 1240, 1251, 1366, 1396.

S 1086 BANK STOCK AS COLLATERAL
(Ratified Ch.0296) . 866, 1041, 1093, 1110, 1125, 1181.

S 415 BANKS/SAVINGS INSTITUTIONS MERGERS
(Ratified Ch.0479) ..... 467, 1135, 1300, 1303, 1331, 1365, 1420, 1502, 1508, 1511, 1512, 1535.

BANKS (G.S. 53)-Contd.

S 686 CLARIFY BANKING COMMISSION AUTHORITY
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S 899 CONFIDENTIALITY OF FINANCIAL INSTITUTION'S RECORDS
(Ratified Ch.0408) ..... 849, 1121, 1185, 1320, 1382.

H 758 INTEREST RATE ADJUSTMENTS
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S 414 INTERSTATE BRANCHING EARLY OPT-IN
(Ratified Ch.0322) ..... 452, 916, 1067, 1126, 1215.

H 91 LINGERFELT AS BANK COMMISSIONER
(Ratified Res.02) ..... 67, 68, 74, 85.

S 482 MISCELLANEOUS BANK CHANGES
(Ratified Ch.0129) ..... 467, 928, 953, 968, 971.

S 65 REGULATE CHECK CASHING
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H 97 REMOVE SUNSET ON REVERSE MORTGAGES
(Ratified Ch.0115) (S 125) ..... 69, 685, 759, 958.

S 125 REMOVE SUNSET ON REVERSE MORTGAGES
(Financial Institutions) (H 97) ..... 143, 302, 561.

S 413 SAVINGS BANK CONVERSION
(Ratified Ch.0142) .. 388, 472, 539, 558, 615, 889, 994.

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BARBEE, BOBBY H., SR.

BILLS INTRODUCED - 3, 4, 5, 6, 10, 11, 12, 13, 16, 17, 18, 24, 38, 44, 65, 105, 127, 130, 161, 170, 201, 202, 223, 247, 248, 252, 331, 333, 349, 354, 388, 396, 397, 449, 453, 454, 455, 463, 467, 468, 479, 481, 488, 489, 496, 501, 511, 538, 540, 569, 597, 601, *614, *615, 624, 634, 721, 738, 749, 770, 773, *780, 781, 785, 786, 801, 820, 825, 834, 836, *844, 847, 852, 860, *888, 899, 917, 935, 936, *975, 1013, 1020, 1050, 1057, 1068.

COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Transportation, Co-Chair; Insurance; Local and Regional Government II; Pensions and Retirement.

CONFEREE: H.B. 229, H.B. 230

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H 319 BARBER STRAIGHT RAZORS
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H 85 BARBER SCHOOL INSTRUCTORS
(Ratified Ch.0397) .... 66, 564, 609, 1345, 1368, 1381.
S 294 REGULATION OF BARBERS
(Finance) ..... 592, 1012.

BARNES, ANNE C.
APPROVAL OF VOTE CHANGE ON H.B. 230 ..... 1312.
APPROVAL OF VOTE CHANGE ON H.B. 265 ..... 820.
BILLS INTRODUCED - 105, 150, 151, 152, 155, 156, 157, 165, *176, 224, *226, 235, 236, 242, 284, 291, 292, 293, 294, 397, 404, *410, 419, 474, 500, 501, 503, *514, 523, 549, 657, *682, *725, *756, *771, 772, 773, 774, 795, 804, 815, 860, 946, 947, 997, *1015, 1041.
COMMITTEE ASSIGNMENTS - Agriculture; Appropriations - Subcommittee on General Government; Education - Subcommittee on Community Colleges and Universities; Ways and Means.
CONFEREE: H.B. 7, S.B. 501
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EXCUSED ABSENCES ..... 79, 868, 949, 1054, 1203, 1215, 1357, 1550, 1564, 1599.
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S 836 CIVIL ACTION/PATERNITY
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BEALL, CHARLES M.
BILLS INTRODUCED - 89, 92, 105, 107, 111, 112, 124, 125, 129, 130, 144, 161, *163, 179, 196, 199, *208, 247, 252, 281, 291, 292, 293, 294, 295, *319, *338, 366, 368, 372, 388, 397, 419, 435, 474, 475, *482, *483, *484, 497, 500, 502, *520, 522, 540, 568, 634, 738, 746, 759, 760, 767, 768, 771, 774, 786, 794, 795, 799, 801, 811, 823, 824, 852, 895, 896, 913, 925, *957, 989, 1004, 1005, 1020, 1057, 1064.
COMMITTEE ASSIGNMENTS - Finance; Financial Institutions; Pensions and Retirement; Transportation - Subcommittee on Highways.

BEALL, CHARLES M.-Contd.
EXCUSED ABSENCE ..... 1215.
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BEAUFORT COUNTY
H 519 BEAUFORT/TAKING RED WOLVES
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H 160 LOCAL DRUG-FREE HOUSING
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H 518 WASHINGTON SATELLITE ANNEXATIONS
(Finance) ..... 296, 420.

BERRY, CHERIE K.
BILLS INTRODUCED - 3, 4, *5, 6, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 38, 44, 65, 83, 84, 86, 87, 90, 127, 130, 142, 161, 165, 191, 192, 207, 220, 223, 236, 252, *255, 315, 326, 365, 387, 388, 407, *422, 429, 430, 431, 432, 442, 443, 463, 467, 468, 475, 477, 479, 487, 489, 495, *500, 502, 529, 540, 546, 573, 589, 590, 597, 627, 635, 722, 729, 730, 731, 770, 773, 781, *783, 801, 811, 820, 834, 852, *868, *869, 886, 935, 1027.
COMMITTEE ASSIGNMENTS - Agriculture; Finance; Ways and Means; Welfare Reform and Human Resources, Co-Chair.
CONFEREE: S.B. 501, S.B. 737
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NOMINATES REPRESENTATIVE CAROLYN RUSSELL AS SPEAKER PRO TEMPORE ..... 29.
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SECONDS ADJOURNMENT ..... 120, 935.

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BLACK, JAMES B.-Contd.
APPROVAL OF VOTE CHANGE ON H.B. 166 ..... 817.
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BILLS INTRODUCED - 35, 51, *64, 143, 144, 159, 161, *174, *180, 191, 192, 220, 223, 224, 225, 235, 236, 242, 247, 252, *253, 282, 283, 284, 315, *360, 365, 367, 397, 429, 430, 431, 432, 435, 444, 453, 454, 455, *456, 471, 472, 474, 475, 489, 493, 498, 502, 503, 540, 551, *554, *555, *594, 597, 618, 619, *712, *713, 718, 760, 771, 774, 786, *787, 791, 796, 804, 829, *830, 835, 836, 852, 860, 871, 924, 976, 978, 987, *991, 992, 995, 1036, 1040, 1041, *1045.
COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Education; Education - Subcommittee on Preschool, Elementary and Secondary Education; Insurance; Rules, Calendar and Operations of the House.
CONFEREE: H.B. 718, S.B. 3, S.B. 1078
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SECONDS ADJOURNMENT ..... 160, 1280.

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S 104 REVENUE LAWS TECHNICAL CHANGES (Ratified Ch.0017) ..... 159, 248, 270, 281, 324.

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H 104 TAXPAYER'S RIGHTS AMENDMENTS (Judiciary I) ..... 71.

BLUE, DANIEL T., JR.
APPROVAL OF VOTE CHANGE ON H.B. 490 ..... 1370.
BILLS INTRODUCED - 141, 223, 225, 252, 287, 288, 289, 290, 362, 397, 404, 436, 437, 474, 475, 489, 497, 503, 523, 538, 548, 549, 552, 580, *741, *746, *750, 771, 786, 860, 871, 876, 913, *923, 963, 982, 992, 999, 1017, 1027, 1031.
COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Transportation; Business and Labor - Subcommittee on Labor Relations and Employment; Ethics; Judiciary I.
CONFEREE: S.B. 559
ESCORT FOR GOVERNOR ..... 84.
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BLUE, DANIEL T., JR.-Contd.
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S 976 BOAT NUMBER FEES
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H 353 GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED (Ratified Ch.0506) .... 192, 294, 347, 390, 409, 1378, 1386, 1405, 1412, 1418, 1556, 1557, 1559, 1565.
H 852 MOTOR FUEL/USE TAX CHANGE
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H 554 WATER SAFETY SIGNAL FLAG
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H 229 1995 CONTINUATION BUDGET
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H 411 AMEND EXTRADITION LAWS
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S 653 AMEND MEDICAL PRACTICE ACT
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H 851 BAIL BOND CHANGES
(Ratified Ch.0290) ..... 475, 801, 840, 1106, 1130, 1149, 1156, 1167.
S 534 BAIL BONDSMEN REGULATION
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S 606 CENTENNIAL AUTHORITY
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S 792 CLARIFY BAIL BOND FORFEITURES
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H 738 COMMUNITY COLLEGE FUND ALLOCATION
(Ratified Ch.0515) ..... 396, 540, 569, 585, 1557, 1571, 1605.
H 171 CONFORM BANK TAX TO FEDERAL
(Reported Unfavorable) ..... 100, 894.
H 531 EXEMPT CERTAIN SECURITIES
(Finance) ..... 314, 729, 892.

BONDS AND NOTES-Contd.

H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS
(Appropriations) ..... 212.
H 540 HIGHWAY BOND ACT OF 1995
(Senate) ..... 316, 927, 1066, 1115, 1138, 1146, 1226, 1240, 1293, 1327, 1349.
H 10 INITIATIVE
(Failed 2nd Reading) ..... 45, 636, 749.
S 8 INTANGIBLES REPEAL/HOLD HARMLESS
(Ratified Ch.0041) ..... 106, 209, 513, 526, 529.
H 556 JOINT MUNICIPAL POWER AMENDMENTS
(Ratified Ch.0412) ..... 330, 762, 802, 961, 978, 999, 1377, 1386, 1396.
H 855 LOCAL GOVERNMENT CONTRACTING
(Senate) ..... 476, 790, 835.
H 838 LOTTERY FOR SCHOOL BUILDINGS
(Judiciary II) ..... 473, 1261, 1353, 1413, 1422, 1435, 1466.
S 120 MAKE BOND TAXATION UNIFORM
(Ratified Ch.0046) ..... 250, 285, 538, 552, 562.
S 943 MOTOR FUEL/USE TAX CHANGES
(Ratified Ch.0390) ..... 918, 1235, 1264, 1270, 1380.
H 957 MOTOR VEHICLE DEALER BONDS
(Transportation) ..... 496.
H 909 PROBATION BONDS
(Finance) ..... 487, 1134, 1431.
H 389 PUBLIC SCHOOL BUILDING BOND ACT OF 1995
(Finance) ..... 212, 1466, 1490, 1499, 1514, 1599.
H 771 PUBLIC SCHOOL BUILDING BOND ACT OF 1995
(Finance) ..... 435, 441, 1261.
H 475 SMALL BUSINESS CAPITAL AND GROWTH ACT
(Finance) ..... 256, 328, 917, 928.
H 1017 SMALL BUSINESS DEVELOPMENT ACT
(Finance) ..... 702.
H 963 SMALL BUSINESS SURETY BONDS
(Finance) ..... 497.
S 572 SMALL BUSINESS SURETY BONDS
(Finance) ..... 1471.
H 279 STATE ENERGY POLICY
(Finance) ..... 153, 183.
H 129 TAXPAYER BILL OF RIGHTS
(Finance) ..... 81.

BONDS AND NOTES-Contd.

H 3 TAXPAYER PROTECTION ACT
(Senate) (Included Ch.0542) ..... 43, 165, 175, 185, 1497, 1514, 1548.

S 723 TELEPHONE CONSUMER PROTECTION ACT
(Finance) ..... 1267, 1342, 1416.

H 162 UNPAID DEBTS TAXED AS INCOME
(Finance) ..... 90.

H 221 WATER/SEWER BOND
(Public Utilities) (S 207) ..... 129.

S 207 WATER/SEWER BOND
(Ratified Ch.0028) (H 221) ... 193, 311, 429, 445, 447.

H 833 WILDLIFE BUILDING BONDS
(Finance) ..... 464.

BOUNDARIES (G.S. 38)

H 119 LANDOWNER PROTECTION
(Judiciary I) ..... 77.

BOWEN, EDWARD C.

BILLS INTRODUCED - 127, 161, *197, *198, 252, 275, 276, 277, 278, 279, 320, 321, 322, 323, 324, 397, 474, 475, 497, 500, 501, 502, 540, 548, *598, *599, 601, 767, 768, 773, 815, 826, 852, *855, 913, 1005, 1039, 1040, 1041, 1064.

COMMITTEE ASSIGNMENTS - Agriculture; Finance, Ranking Minority Member; Public Utilities; Transportation - Subcommittee on Highways, Ranking Minority Member.

EXCUSED ABSENCES ..... 38, 61, 79, 111, 140, 169, 246, 471, 1564, 1599.

OATH ..... 12.

BOWIE, JOANNE W.

APPROVAL OF VOTE CHANGE ON H.B. 81 ..... 390.

BILLS INTRODUCED - 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 38, 44, 65, 86, 90, 105, 127, 130, 134, 135, 136, 142, 161, *207, 210, 211, 212, *213, 223, 226, 236, *240, *243, 252, 269, 270, 271, 273, 280, 326, 327, 328, 353, 365, *424, 453, 463, 479, 488, 493, 501, 522, 526, 540, 546, 552, 571, 597, 635, 698, 721, 729, 730, 731, 733, 735, 743, 744, 771, *773, 774, 782, 801, 815, 820, 836, 837, *852, *853, 860, 899, 913, 917, 935, 936, 949, 995, *996, 1041.

COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Transportation, Co-Chair; Business and Labor - Subcommittee on Economic Expansion and Growth; Ethics; Judiciary II; Rules, Calendar and Operations of the House.

BOWIE, JOANNE W.-Contd.
CONFEREE: H.B. 229, H.B. 230, H.B. 353
ESCORT FOR SPEAKER PRO TEMPORE . . . . . 33.
EXCUSED ABSENCES . . . . . 275, 993, 1266.
OATH . . . . . 12.
SECONDS ADJOURNMENT . . . . . 96.

BOYD-MCINTYRE, FLOSSIE
APPOINTED TO SELECT COMMITTEE FOR PERSONNEL REVIEW . . . . . 305.
APPROVAL OF VOTE CHANGE ON H.B. 229 . . . . . 682.
APPROVAL OF VOTE CHANGE ON H.B. 832 . . . . . 754.
BILLS INTRODUCED - 20, 22, 23, 25, 27, 124, 191, 211, 212, 273, 281, 286, 287, 288, 289, 290, 291, 294, 297, 298, 362, 397, 474, 475, 487, *493, 496, 497, 503, 523, 526, 546, 548, 549, 551, 552, 773, 786, 815, 852, 871, 913, 949, 963, *999, 1008, 1009, 1019, 1022, 1023, 1024, 1025, *1031, 1036, *1044, 1048, 1057.
COMMITTEE ASSIGNMENTS - Agriculture; Appropriations - Subcommittee on Education; Business and Labor - Subcommittee on Economic Expansion and Growth; State Government - Subcommittee on Boards and Commissions.
EXCUSED ABSENCES . . . . . 393, 993.
OATH . . . . . 12.
REMARKS ON END OF SESSION . . . . . 1613.
SECONDS ADJOURNMENT . . . . . 561.

BRASWELL, JERRY
APPROVAL OF VOTE CHANGE ON JOURNAL APPROVAL OF JULY 19 . . . . . 1493.
BILLS INTRODUCED - *138, *216, *217, 236, 252, *256, *257, 269, 270, 271, 272, 273, 274, 397, 404, 474, 475, 487, 497, 502, 523, 548, 549, *659, 752, 771, 786, 815, *849, 876, *944, *945, *961, 963, 999, 1017, 1022, 1023, 1024, 1025, 1031, 1036, 1039, 1040, 1064.
COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on General Government; Financial Institutions; Local and Regional Government I; Public Utilities.
CONFEREE: H.B. 659
EXCUSED ABSENCES . . . . . 404, 598, 1234, 1246, 1266, 1282, 1307, 1337, 1343, 1357, 1415, 1564.
OATH . . . . . 12.

BRAWLEY, C. ROBERT
BILLS INTRODUCED - 2, 3, *4, 5, 6, 7, 8, *9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 38, 41, 44, 50, 65, 72, 79, *85, 89, 90, *103, *104, 124,

BRAWLEY, C. ROBERT-Contd.

125, 127, 130, 142, 144, 161, 170, 175, 189, 191, 192, 200, 201, 210, 220, 223, 236, *255, *264, *275, *276, *277, *278, *279, 311, 315, 318, *326, 331, 365, 387, 388, 397, *407, *415, 424, 430, 431, 432, 436, 442, 443, 450, 453, 454, 455, 466, 467, 468, 474, 479, 481, 488, 496, 497, 502, 531, 540, 554, *558, 571, 585, 589, 597, 600, 617, 624, *648, *720, 729, 730, 731, 734, 749, 760, *766, 773, 791, 801, 811, *812, 820, 824, 826, 829, 834, 836, 852, *870, 899, 911, 917, 921, 939, 988, 1027, 1038, 1041, 1067.

COMMITTEE ASSIGNMENTS - Business and Labor - Subcommittee on Economic Expansion and Growth; Finance; Insurance.

CONFEREE: S.B. 27

EXCUSED ABSENCES ..... 253, 262, 303, 1448, 1463, 1476, 1493.

EXCUSED VOTE: H.B. 1001 ..... 1321.

JOINT CAUCUS LEADER ..... 42.

OATH ..... 12.

OFFERS PRAYER ..... 72, 1564.

SECONDS ADJOURNMENT ..... 85.

BROWN, JOHN W.

APPROVAL OF VOTE CHANGE ON S.B. 57 ..... 1442.

BILLS INTRODUCED - 3, 4, 6, 7, 10, 11, 12, 13, 14, 15, 38, 44, 52, 65, 71, 72, *86, *87, 88, 89, 103, 104, 105, 107, *108, 125, 127, 130, 142, 147, 159, 161, *165, 170, 175, 191, 192, 199, 220, 223, 236, 241, 252, 315, *320, *321, *322, *323, *324, 326, 327, 328, *329, 346, 349, 354, 355, 356, 357, 365, 384, 387, 388, 407, 414, 417, 426, 453, 467, 468, 474, *478, 479, 481, 488, 489, 500, 501, 502, 532, 540, *545, 569, 571, 573, 597, 600, 601, 624, *680, 687, 718, 720, 721, 729, 730, 731, 734, 735, 738, 765, 769, 773, 782, 784, 786, 791, 794, 801, 811, 816, 817, 820, 824, 827, 834, 836, 837, 852, 913, 917, 921, 987, 995, *1011, 1013, 1020, 1027, 1029, 1038, 1041.

COMMITTEE ASSIGNMENTS - Agriculture, Chair; Finance; State Government - Subcommittee on Military, Veterans and Indian Affairs; Transportation - Subcommittee on Highways.

CONFEREE: S.B. 200, S.B. 649, S.B. 974 (Chair)

EXCUSED ABSENCE ..... 1448.

NOMINATION OF REPRESENTATIVE HAROLD BRUBAKER AS SPEAKER ..... 17.

OATH ..... 12.

OFFERS PRAYER ..... 430.

READING OF PAPER ..... 571.

SECONDS ADJOURNMENT ..... 765.

BROWN, WILLIS D.
APPROVAL OF VOTE CHANGE ON H.B. 230 ..... 1339.
APPROVAL OF VOTE CHANGE ON
JOURNAL APPROVAL OF JULY 19 ..... 1492.
BILLS INTRODUCED - 64, 92, 105, 141, 161, 179, 191, 192, 207, 223, 252, 365, *428, 435, 436, 437, 467, 468, 474, 475, 497, 502, 531, 540, 548, *553, 571, 600, 634, *638, 699, 700, 738, 771, 774, 782, 815, 835, 836, 840, 846, 852, 876, 895, 900, *913, 935, 936, 959, *1016, *1021, 1027, 1041, 1050.
COMMITTEE ASSIGNMENTS - Finance; Financial Institutions; Judiciary I, Ranking Minority Member; Local and Regional Government I.
CONFEREE: S.B. 237, S.B. 320
EXCUSED ABSENCES ..... 160, 455, 471, 506, 1068, 1101.
OATH ..... 12.
SECONDS ADJOURNMENT ..... 262.

BRUBAKER, HAROLD J.
ACCEPTANCE SPEECH AS SPEAKER ..... 23.
ADMINISTERS OATHS ..... 35, 883.
APPROVAL OF VOTE CHANGE ON H.B. 7 ..... 625.
BILLS INTRODUCED - NONE INTRODUCED.
DELEGATION MEMBER TO ATTEND
REPRESENTATIVE MACON SNOWDEN'S FUNERAL ... 652.
ELECTED SPEAKER ..... 23.
ESTABLISHES SELECT COMMITTEE
FOR PERSONNEL REVIEW ..... 305.
ESTABLISHES SELECT COMMITTEE
ON TORT REFORM ..... 308.
NOMINATED SPEAKER ..... 17.
OATH AS MEMBER ..... 12.
OATH AS SPEAKER ..... 23.
RULINGS AS SPEAKER ..... 94, 186, 194, 283, 364, 409, 414, 428, 520, 553, 554, 691, 776, 802, 825, 837, 841, 855, 859, 877, 900, 1033, 1047, 1050, 1064, 1123, 1156, 1179, 1187, 1223, 1224, 1226, 1227, 1236, 1242, 1254, 1269, 1312, 1327, 1329, 1364, 1390, 1403, 1410, 1421, 1423, 1435, 1460, 1473, 1474, 1491, 1492, 1518, 1519, 1545, 1603.

BRUNSWICK COUNTY
S 57 ALCOHOLIC BEVERAGE CONTROL CHANGES
(Ratified Ch.0466) (H 253) .... 845, 1070,1156, 1171, 1213, 1428, 1442, 1465, 1493, 1495.

BRUNSWICK COUNTY-Contd.

H 253 ALCOHOLIC BEVERAGE CONTROL LEGISLATIVE RESEARCH COMMISSION STUDY RECOMMENDATIONS (Judiciary II) (S 57) .... 147.

H 604 REGULATE COASTAL DEBRIS (Ratified Ch.0059) ..... 356, 456, 502, 635.

S 104 REVENUE LAWS TECHNICAL CHANGES (Ratified Ch.0017) ..... 159, 248, 270, 281, 324.

H 345 YAUPON BEACH SEA TURTLE SANCTUARY (Ratified Ch.0037) ..... 184, 302, 310, 362, 522.

BUCHANAN, CHARLES F.

BILLS INTRODUCED - 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 33, 38, 43, 44, 50, 52, 65, 68, 69, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 96, 98, 99, 100, 101, 103, 104, 105, 107, 108, 109, 118, 119, 121, 124, 125, 127, 130, 139, 142, 161, 165, 175, 181, 189, 192, 193, 194, 196, 205, 210, 220, 223, 236, 247, 252, *255, 263, 275, 276, 281, 284, 307, 315, 320, 321, 322, 323, 324, 326, 327, 328, 331, *333, 341, 344, 346, 347, 361, 362, 363, 364, 365, 366, 367, 368, 374, 376, 382, 384, 388, 394, 395, 396, 397, 402, 403, 404, 406, 407, 409, 413, 414, 415, 416, 417, 418, 419, 422, 423, 429, 431, 432, 433, 434, 435, 437, 438, 439, 442, 443, 446, 448, 455, 457, 459, 460, 461, 463, 466, 473, 474, 475, 476, 477, 479, 481, 489, *491, 500, 501, 502, 504, 522, 531, 532, 540, 556, 568, 569, 571, 573, 574, 589, 597, 624, *627, *628, 697, 729, 730, 731, 733, 736, 738, 744, 745, 752, 753, 759, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 781, 783, 786, 791, 793, 794, 796, 798, 806, 820, 824, 826, 829, 831, 832, 833, 834, 841, 844, 845, 850, 852, 868, 869, 870, 871, 872, 877, 878, 886, 888, 895, 897, 900, 901, 902, 913, 920, 921, 925, 930, 935, 936, 946, 947, 953, 989, 1038, 1041, 1045, 1050, *1054, 1057.

COMMITTEE ASSIGNMENTS - Agriculture; Finance; State Government, Vice Chair; State Government - Subcommittee on Military, Veterans and Indian Affairs, Chair; Transportation - Subcommittee on Highways.

CONFEREE: H.B. 659, S.B. 237

EXCUSED ABSENCES ..... 1068, 1101, 1599.

OATH ..... 12.

SECONDS ADJOURNMENT ..... 1491.

BUILDING CODES

S 612 BUILDING CODE/SPRINKLER REQUIREMENTS (Ratified Ch.0242) ..... 773, 1052, 1112, 1116.

BUILDING CODES -Contd.

H 918 COUNTY PREANNEXATION APPROVAL
(Judiciary I) ..... 489.

S 884 FIRE SPRINKLER SYSTEM DRAWINGS
(Ratified Ch.0146) ..... 813, 929, 968, 982, 994.

S 309 HOUSING ENFORCEMENT LIS PENDENS
(Ratified Ch.0158) ..... 280, 674, 921, 924, 956, 1007.

S 521 HOUSING ENFORCEMENT LIS PENDENS
(Judiciary I) ..... 644.

H 191 REQUIRE FISCAL NOTE/SUBJECT MATTER NOTICE
(Appropriations) ..... 115, 209.

H 291 SMOKE DETECTORS IN RENTAL PROPERTY
(Business & Labor) (S 295) ..... 155, 240, 323, 433, 573, 602, 719.

S 295 SMOKE DETECTORS IN RENTAL PROPERTY
(Ratified Ch.0111) (H 291) ..... 643, 698, 889, 898, 899, 958.

H 129 TAXPAYER BILL OF RIGHTS
(Finance) ..... 81.

H 631 WATER WELLS LOCATION EXEMPTION
(Health & Environment) ..... 370.

BUNCOMBE COUNTY

S 654 ASHEVILLE HOUSING CODE PROCESS
(Ratified Ch.0113) ..... 593, 935, 944, 958.

H 646 ASHEVILLE TAX COLLECTOR
(Local & Regional Government II) ..... 373.

H 717 ASHEVILLE/SELECTION OF HOUSING COMMISSION
(Local & Regional Government I) ..... 386.

H 539 BUNCOMBE ANNEXATION REFERENDA
(Rules, Calendar & Operations of the House)
(Included Ch.0542) ..... 316, 597, 725, 1038, 1207.

S 471 BUNCOMBE SCHOOL BOARD ELECTIONS
(Ratified Ch.0093) ..... 772, 893, 907, 911.

S 535 BUNCOMBE/ASHEVILLE TAX COLLECTOR
(Ratified Ch.0104) ..... 533, 603, 923, 929, 936.

H 330 CODE PROCESS
(Ratified Ch.0320) .. 174, 312, 362, 399, 549, 567, 574, 589, 594, 595, 1157, 1172, 1199, 1204.

H 160 LOCAL DRUG-FREE HOUSING
(Senate) ..... 89, 406, 443, 453, 613, 663.

H 128 WHEEL LOCKS
(Ratified Ch.0075) ..... 81, 164, 248, 257, 268, 677, 785, 814, 844.

BURKE COUNTY
H 586 BURKE/CALDWELL BLANK BILL
(Rules, Calendar & Operations of the House) ..... 341.
H 205 LIFE PRESERVERS/CERTAIN COUNTIES
(Ratified Ch.0019) ..... 123, 182, 206, 326.
S 556 MODIFY BURKE ROOM TAX USE
(Ratified Ch.0143) ..... 811, 962, 978, 994.
H 625 MORGANTON-LENOIR AIRPORT AUTHORITY
(Rules, Calendar & Operations of the House) ..... 360.

BUSINESS CORPORATION ACT, N.C. (G.S. 55)
S 242 AMEND NONPROFIT CORPORATION ACT
(Ratified Ch.0400) ..... 863, 1183, 1319, 1321, 1381.
H 490 CORPORATE FILINGS
(Ratified Ch.0539) ..... 267, 636, 734, 876, 1078, 1218, 1308, 1352, 1370, 1589, 1601, 1608, 1619.
H 422 NORTH CAROLINA ENTERPRISE CORPORATIONS
(Senate) ..... 224, 327, 579, 638, 1259, 1267, 1300.
H 139 REPEAL MINIMUM HIGHWAY USE TAX
(Finance) ..... 83.
H 420 SHAREHOLDER DERIVATIVE ACTIONS
(Ratified Ch.0149) ..... 224, 615, 652, 666, 995.
H 941 TRANSPORTATION/WIRELESS AMENDMENTS/FEE
(Ratified Ch.0523) ..... 493, 1256, 1305, 1329, 1350, 1588, 1600, 1617.

BUSINESS DEVELOPMENT CORPORATIONS AND NORTH CAROLINA CAPITAL RESOURCE CORPORATIONS (G.S. 53A)
S 120 MAKE BOND TAXATION UNIFORM
(Ratified Ch.0046) ..... 250, 285, 538, 552, 562.
H 422 NORTH CAROLINA ENTERPRISE CORPORATIONS
(Senate) ..... 224, 327, 579, 638, 1259, 1267, 1300.
H 475 SMALL BUSINESS CAPITAL AND GROWTH ACT
(Finance) ..... 256, 328, 917, 928.
H 995 VENTURE CAPITAL INVESTMENT INCENTIVE
(Senate) ..... 607, 735, 1398, 1443, 1460.

-C-

CABARRUS COUNTY
S 706 CABARRUS COUNTY WORKFARE
(Ratified Ch.0368) .. 865, 986, 1207, 1235, 1273, 1314.

CABARRUS COUNTY-Contd.

H 578 LOCAL GEOGRAPHICAL INFORMATION SYSTEM RECORDS EXEMPTION (Ratified Ch.0151) ..... 340, 618, 663, 963, 976, 995.

S 104 REVENUE LAWS TECHNICAL CHANGES (Ratified Ch.0017) ..... 159, 248, 270, 281, 324.

CALDWELL COUNTY

H 586 BURKE/CALDWELL BLANK BILL (Rules, Calendar & Operations of the House) ..... 341.

H 587 CALDWELL COUNTY BLANK BILL (Rules, Calendar & Operations of the House) ..... 341.

S 265 CALDWELL FOX HUNTING (Ratified Ch.0032) ..... 250, 407, 443, 472.

H 181 CALDWELL SCHOOL PAY DATE CHANGE (Ratified Ch.0012) ..... 113, 141, 163, 216, 233, 237.

S 153 GRANITE FALLS ALCOHOLIC BEVERAGE CONTROL AUDIT (Ratified Ch.0010) ..... 168, 197, 234, 237.

H 205 LIFE PRESERVERS/CERTAIN COUNTIES (Ratified Ch.0019) ..... 123, 182, 206, 326.

H 625 MORGANTON-LENOIR AIRPORT AUTHORITY (Rules, Calendar & Operations of the House) ..... 360.

CAMDEN COUNTY

H 374 PASQUOTANK/CAMDEN/CHOWAN BEAR HUNTING (Ratified Ch.0039) ..... 201, 312, 362, 522.

CANSLER, LANIER M.

BILLS INTRODUCED - 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 38, 44, 65, 90, 105, 125, 127, 130, 142, 164, 168, 170, *175, 189, 191, 192, 200, 203, 210, 220, 223, 236, 326, 328, 331, 349, 365, 387, 397, 398, 399, 407, 424, 427, 442, 450, 453, 454, 455, 463, 466, 467, 468, 479, 481, 497, 501, 502, 531, 538, 539, 540, 559, 571, 573, 597, 624, *646, 717, 721, 729, 730, 731, 732, 733, 735, 743, 744, 745, 765, 767, 770, 773, 776, 781, 786, 801, 820, 826, 834, *835, 836, 852, 860, *877, *878, 888, 899, 913, 917, *920, *921,*922, 925, 927, 930, 935, 936, 972, 990, 995, 1013, 1017, 1027, 1038, 1041, 1050.

COMMITTEE ASSIGNMENTS - Business and Labor - Subcommittee on Economic Expansion and Growth; Education - Subcommittee on Preschool, Elementary and Secondary Education; Finance, Vice Chair; Judiciary II.

CONFEREE: H.B. 3, S.B. 58, S.B. 84

EXCUSED ABSENCE ..... 891.

CANSLER, LANIER M.-Contd.
OATH ..... 12.
SECONDS ADJOURNMENT ..... 430.

CAPPS, J. RUSSELL
BILLS INTRODUCED - 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 44, 65, 72, 74, 90, 105, 127, 130, 142, 170, 175, 189, 190, 207, 210, 223, *291, 315, 326, 327, 328, 349, 353, 357, 365, 368, 371, 387, 397, 398, 399, 406, 407, 427, 430, 431, 432, 434, 447, 450, 451, 453, 454, 455, 463, *466, 467, 468, 474, 477, 479, 481, 488, 489, 494, 497, 501, 522, 531, 532, 538, 540, 559, 568, 571, 585, 597, 617, 624, 631, *655, *656, 660, 686, 721, *724, 732, *733, 734, 735, 743, 744, 747, 748, 765, 767, 776, 777, 781, 785, 795, 801, 811, 820, *828, 834, 836, 837, 852, *862, *863, *864, *865, *866, *867, 877, 878, *887, 899, 904, 906, 907, 908, 917, 925, 927, 935, *937, 939, 1013, 1020, 1038, 1050.
COMMITTEE ASSIGNMENTS - Finance, Vice Chair; Judiciary I; Local and Regional Government II; Welfare Reform and Human Resources - Subcommittee on Families.
CONFEREE: H.B. 3
OATH ..... 12.
OFFERS PRAYER ..... 103.

CARPENTER, JAMES C.
BILLS INTRODUCED - 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 38, 44, 83, 86, 90, 105, *125, 127, 130, 142, 161, 165, *166, *167, 170, 175, 189, 191, 192, 220, 223, 236, 320, 321, 322, 323, 324, 326, 327, 328, 349, 357, 365, 368, 388, 396, 397, 407, 434, 435, 449, 450, 467, 468, 477, 479, 481, 488, 494, 496, 497, 500, 502, 511, 515, 522, 540, 559, 571, 597, 600, 601, 624, *666, *709, 721, *737, *742, 743, 765, 767, 768, 776, 794, 801, 806, 820, 826, 827, 834, 836, 852, 904, 906, 988, 1027, 1038, 1041, 1050.
COMMITTEE ASSIGNMENTS - Agriculture, Vice Chair; Finance; Local and Regional Government I; State Government - Subcommittee on Military, Veterans and Indian Affairs.
CONFEREE: S.B. 649
EXCUSED ABSENCES ..... 598, 1165.
OATH ..... 12.
SECONDS ADJOURNMENT ..... 446, 1549.

CARTERET COUNTY
H 593 BOGUE INCORPORATED
(Ratified Ch.0286) ..... 343, 407, 507, 524, 534, 1105, 1128, 1148, 1166.

CARTERET COUNTY -Contd.
H 499 CARTERET SCHOOL PAY DATE
(Local & Regional Government I) .. 278, 336, 363, 426.
H 951 LOCAL BEAVER CONTROL
(Health & Environment) ..... 495, 558, 583, 644.
S 582 LOCAL BEER/WINE POSSESSION
(Ratified Ch.0144) ..... 623, 934, 953, 994.
H 707 LOCAL VOCATIONAL INITIATIVE
(Finance) ..... 384, 767, 792.
S 104 REVENUE LAWS TECHNICAL CHANGES
(Ratified Ch.0017) ..... 159, 248, 270, 281, 324.

CASWELL COUNTY
H 672 CASWELL LOCAL BILL
(Rules, Calendar & Operations of the House) ..... 378.

CATAWBA COUNTY
S 542 CATAWBA SCHOOL BOARD ELECTIONS
(Ratified Ch.0132) ..... 772, 934, 943, 971.
H 627 CATAWBA VETERANS' PREFERENCE
(Ratified Ch.0087) ..... 360, 545, 569, 892.
H 589 CATAWBA/DEPUTIES' RETIREMENT
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S 543 CATAWBA/DEPUTIES' RETIREMENT
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H 578 LOCAL GEOGRAPHICAL INFORMATION SYSTEM RECORDS EXEMPTION
(Ratified Ch.0151) ..... 340, 618, 663, 963, 976, 995.
H 590 MOUNTAIN VIEW INCORPORATED
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H 558 TOWN OF CATAWBA ANNEXATIONS
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S 590 1995 TECHNICAL CORRECTIONS
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CHAPLAIN - see MILLS, REVEREND WILLIAM; PRAYERS

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H 951 LOCAL BEAVER CONTROL
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H 682 ORANGE OMNIBUS
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H 666 CHEROKEE COUNTY SCHOOL PAY DATE CHANGE
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CHILD WELFARE (G.S. 110) - also see BASTARDY; CHILDREN WITH SPECIAL NEEDS; MARRIAGE AND FAMILY

H 270 ALIMONY CHANGES
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H 168 CHILD SUPPORT CHANGES
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H 164 COLLECT CHILD SUPPORT
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H 259 DAY CARE PROVIDER RECORDS
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H 403 DAY CARE PROVIDER RECORDS
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H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS
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S 501 GRANDPARENT CHILD SUPPORT LIABILITY
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H 870 NEIGHBORHOOD RELIEF ACT
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H 5 PUBLIC ASSISTANCE RESPONSIBILITY
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H 86 SOCIAL SERVICES PATERNITY IDENTIFICATION
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H 230 1995 EXPANSION/CAPITAL BUDGET
(Ratified Ch.0507) ..... 136, 1297, 1311, 1315,1338, 1447, 1454, 1464, 1573, 1574, 1575, 1592.

CHILDREN WITH SPECIAL NEEDS -Contd.
S 701 ALGEBRA/LEARNING DISABLED CHILD
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S 135 CERTAIN REVERSIONS
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H 228 CONTINUE EXPIRING PROVISIONS
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H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS
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H 868 SUPPLEMENTAL ADOPTION FUND
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S 775 "WILLIE M." CHANGES
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H 561 CHOWAN COUNTY LOCAL BILL
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H 374 PASQUOTANK/CAMDEN/CHOWAN BEAR HUNTING
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S 104 REVENUE LAWS TECHNICAL CHANGES
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H 532 ANNEXATION REFERENDA
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H 968 ANNEXATION REIMBURSEMENT
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S 606 CENTENNIAL AUTHORITY
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H 1060 CITY-COUNTY TAXATION/FINANCE
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H 552 CLOSE HOUSING STANDARDS LOOPHOLE
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H 537 COMMUNITY COLLEGE/SCHOOL FACILITIES
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H 361 COMMUNITY DEVELOPMENT BLOCK GRANT LOAN GUARANTEES (Senate)
(S 300) ..... 199, 327, 579, 597, 646, 648, 665.

S 300 COMMUNITY DEVELOPMENT BLOCK GRANT/LOAN GUARANTEES
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H 918 COUNTY PREANNEXATION APPROVAL
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H 74 EDUCATION FOUNDATION FUNDS
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H 107 FIRE/RESCUE SQUAD BENEFITS
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H 288 HEALTH REFORM INITIATIVES/HEALTH PLANNING COMMISSION (Calendar Pursuant 36(a)) ... 155, 880.

S 309 HOUSING ENFORCEMENT LIS PENDENS
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S 521 HOUSING ENFORCEMENT LIS PENDENS
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H 105 INCREASE FIRE/RESCUE SQUAD BENEFITS
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H 704 INVOLUNTARY ANNEXATION MORATORIUM
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S 878 JOINT AIRPORTS/WATER AND WASTEWATER
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H 1020 JOINT MUNICIPAL ELECTRIC AMENDMENTS
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H 784 LIMIT INSTALLMENT PURCHASE FINANCING
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H 827 LIMITED VOTING/EXTENDING TERMS
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H 855 LOCAL GOVERNMENT CONTRACTING
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H 638 LOCAL PRIVATE SALES
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S 120 MAKE BOND TAXATION UNIFORM
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H 831 MENTAL HEALTH AREA AUTHORITY FACILITIES
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H 590 MOUNTAIN VIEW INCORPORATED
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H 862 NO PREFERENCES GRANTED
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H 978 PRECINCT BOUNDARIES
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H 23 REPEAL SOUTH AFRICA RESTRICTIONS
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H 66 REPEAL SOUTH AFRICA RESTRICTIONS
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S 143 REPEAL SOUTH AFRICA RESTRICTIONS
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H 921 REPEAL WATERSHED PROTECTION ACT
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S 873 REZONING NOTICE SIMPLIFICATION
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S 798 SANITARY DISTRICT SERVICES
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H 381 SATELLITE ANNEXATIONS
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H 541 SET UNIFORM OCCUPANCY TAX RULES
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H 859 SOLID WASTE AMENDMENTS
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H 129 TAXPAYER BILL OF RIGHTS
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H 3 TAXPAYER PROTECTION ACT
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S 908 WATER AND SEWER AUTHORITY POWERS
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H 923 ZONING OF PAWNBROKERS
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CIVIL PROCEDURE (G.S. 1) -
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S 108 ADOPTIONS TO DISTRICT COURT
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H 270 ALIMONY CHANGES
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S 56 ANTIQUATED LAWS REPEALED
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H 907 CERTAIN LIMITATIONS/SUITS BY STATE
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S 259 CIVIL DAMAGES FOR CERTAIN CRIMES
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S 929 CIVIL PROCEDURE RULES AMENDMENTS
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H 736 CONFORM FINANCIAL PRIVACY ACT
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H 686 DOMESTIC VIOLENCE CHANGES
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S 558 EXPEDITE EVICTION/DRUG OFFENDERS
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S 585 EXPEDITE EXECUTION OF JUDGMENTS
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H 16 FOOD STAMP ELECTRONIC BENEFITS TRANSFER
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S 724 GIFTS BY ATTORNEY-IN-FACT
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S 309 HOUSING ENFORCEMENT LIS PENDENS
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S 521 HOUSING ENFORCEMENT LIS PENDENS
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H 449 IMPROVE RESTITUTION COLLECTION
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S 256 INDIGENT APPEAL CHANGES
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H 398 PRO SE INDIGENT PRISONERS
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S 41 PRO SE INDIGENT PRISONERS
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H 267 RESTITUTION/CIVIL JUDGMENT
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H 265 SERVICE OF PROCESS
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S 721 STRICT LIABILITY/MINOR'S DAMAGE
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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Transportation; Judiciary I; Transportation - Subcommittee on Highways; Welfare Reform and Human Resources, Vice Chair; Welfare Reform and Human Resources - Subcommittee on Families.

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H 1060 CITY-COUNTY TAXATION/FINANCE
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S 579 CLEVELAND SCHOOL LAND CONVEYANCE
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S 307 SANITARY DISTRICTS "QUICK TAKE"
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S 270 SHELBY OCCUPANCY TAX
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H 229 1995 CONTINUATION BUDGET
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H 898 1995 STUDIES
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S 874 ALLOCATE ROANOKE WATER/ENVIRONMENTAL TECHNICAL CORRECTIONS (Ratified Ch.0504)
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S 1001 BEACH ACCESS PROGRAM CLARIFICATION
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S 880 BEACH PROPERTY INSURANCE
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S 990 COASTAL AREA MANAGEMENT ACT ADMINISTRATIVE PERMIT REVIEW
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H 934 ENVIRONMENTAL CLARIFYING/ CONFORMING/TECHNICAL CORRECTIONS
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H 53 FUND SHELLFISH MAPPING
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S 506 HEALTH LAW CHANGES
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H 770 LAW ENFORCEMENT SERVICE DISTRICT
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H 860 LIMIT MARINE NET FISHING
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COMMITTEE ASSIGNMENTS - Business and Labor - Subcommittee on Labor Relations and Employment; Finance; Insurance, Vice Chair; Public Employees.

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H 133 COLUMBUS COUNTY AIRPORT AUTHORITY
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H 462 COLUMBUS OCCUPANCY TAX
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S 364 COLUMBUS OCCUPANCY TAX
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H 169 COLUMBUS TRUST EXEMPTION
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S 104 REVENUE LAWS TECHNICAL CHANGES
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H 602 SANDYFIELD CHARTER REPEAL
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S 527 SANDYFIELD CHARTER REPEAL
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H 706 VARIOUS OCCUPANCY TAX CHANGES
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S 709 WATER AND SEWER DISTRICT VALIDATION
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S 163 WHITEVILLE SCHOOL BOARD
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H 303 CORRECTION ENTERPRISES
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S 383 EMERGENCY USE/PRISON LAUNDRY
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H 511 LATE VIDEO RETURN/SALES TAX
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S 240 LET DEPARTMENT OF TRANSPORTATION DREDGE FOR LOCAL GOVERNMENT
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H 308 PROMOTE POLLUTION PREVENTION
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H 789 ROLLER SKATING RINK LIABILITY
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H 429 TELEPHONE CONSUMER PROTECTION ACT
(Rules, Calendar & Operations of the House) . . . 226, 245.
S 723 TELEPHONE CONSUMER PROTECTION ACT
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H 394 AMEND DUTIES OF STATE CONTROLLER
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S 896 ELECTRONIC SURVEILLANCE ACT
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H 891 FAIR USE OF TELECOMMUNICATIONS
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H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS
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H 161 LOCAL TELEPHONE COMPETITION
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H 838 LOTTERY FOR SCHOOL BUILDINGS
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H 382 MEDIA REPORTING OF ENDORSEMENTS
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H 1059 NO SALES TAX ON PAY PHONES
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S 901 PRESIDENT PRO TEMPORE'S APPOINTMENTS
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H 457 RECOGNIZE AMERICAN SIGN LANGUAGE
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S 99 SCHOOL FLEXIBILITY/ACCOUNTABILITY
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S 828 SENATE PRESIDENT'S APPOINTMENTS
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H 897 SPEAKER'S APPOINTMENTS
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H 941 TRANSPORTATION/WIRELESS AMENDMENTS/FEE
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H 37 VETO CONFORMING CHANGES
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H 229 1995 CONTINUATION BUDGET
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S 590 1995 TECHNICAL CORRECTIONS
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H 319 BARBER STRAIGHT RAZORS
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S 677 COMMUNITY COLLEGE CAN RECEIVE GRANT
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H 315 COMMUNITY COLLEGE FUND ALLOCATION
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H 512 COMMUNITY COLLEGE HEALTH STUDENTS/ IMMUNIZATION (Senate) ..... 286, 354, 1074, 1162, 1434, 1580, 1596.

H 537 COMMUNITY COLLEGE/SCHOOL FACILITIES (Ratified Ch.0399) ..... 315, 544, 1104, 1174, 1191, 1309, 1347, 1368, 1381.

H 920 COMMUNITY COLLEGES BOARD CHAIR SELECTION (Education - Community Colleges & Universities) ..... 489.

S 303 COMMUNITY COLLEGES BOARD/ABSENCES (Ratified Ch.0192) ..... 623, 951, 1010, 1035, 1040.

H 914 COMMUNITY COLLEGES TRUSTEE QUALIFICATIONS (Ratified Ch.0470) ..... 488, 560, 719, 802, 823, 1422, 1441, 1460, 1498, 1505.

H 42 EDUCATION IMPROVEMENT ACT (Approp - Education) (Included Ch.0542) ..... 55, 508, 1073.

S 945 ELECT COMMUNITY COLLEGE BOARD (Ratified Res.08) ..... 952, 988, 1015, 1025, 1198.

H 740 FACILITATE ACADEMIC CREDIT TRANSFER (Ratified Ch.0288) ... 396, 507, 537, 1123, 1150, 1167.

H 889 FINANCIAL AID/REGISTERED VOTER ONLY (State Government) ..... 483.

H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS (Appropriations) ..... 212.

H 862 NO PREFERENCES GRANTED (Judiciary I) ..... 477.

H 802 RECIPROCAL BID PREFERENCES (Senate) ..... 431, 458, 639, 796.

H 673 RESTRUCTURE STATE GOVERNMENT BOARDS AND COMMISSIONS (Senate) .... 378, 714, 776, 819, 820.

H 890 SANITARIAN EDUCATION REQUIREMENTS (Postponed Indefinitely) ..... 483, 560, 616, 761.

H 739 SIMPLIFY HIGHER EDUCATION CREDIT TRANSFER (Ratified Ch.0287) ..... 396, 469, 544, 584, 1123, 1149, 1166.

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CREECH, BILLY J.
BILLS INTRODUCED - 3, 4, 6, 7, 10, 11, 12, 13, 14, 15, 38, 44, 65, 90, 125, 130, 161, 191, 192, 207, 210, 220, 223, 227, 228, 229, 230, 236, 247, *305, *306, 326, 388, 390, 391, 392, 424, *441, 443, 463, 467, 468, 477, 479, 481, 487, *492, 522, 527, 556, 573, 597, 624, 695, 714, 715, 720, *721, *722, 733, 773, 801, *806, 808, *813, 820, 836, 852, *879, 935, 984, 1020, 1029.
COMMITTEE ASSIGNMENTS - Agriculture; Appropriations, Co-Chair; Transportation - Subcommittee on Public Transportation; Welfare Reform and Human Resources - Subcommittee on Aging.
CONFEREE: H.B. 229 (Co-Chair), H.B. 230 (Co-Chair), S.B. 237
DELEGATION MEMBER TO ATTEND
REPRESENTATIVE MACON SNOWDEN'S FUNERAL ... 652.
EXCUSED ABSENCE ..... 1116.
OATH ..... 12.
SECONDS ADJOURNMENT ..... 134, 163, 695.

CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, N.C. (G.S. 17C)
S 590 1995 TECHNICAL CORRECTIONS
(Ratified Ch.0509) ..... 773, 1158, 1256, 1397, 1503, 1532, 1547, 1604.
H 494 ASSAULT LAW OFFICER WITH GUN
(Senate) ..... 268, 392, 683, 797.
H 496 ASSAULT ON SCHOOL BUS DRIVER
(Ratified Ch.0352) ... 277, 636, 756, 1237, 1278, 1283.
H 760 LAW ENFORCEMENT OFFICER DISCIPLINE
(Judiciary I) ..... 424, 1245.

CRIMINAL LAW (G.S. 14)

S 590 1995 TECHNICAL CORRECTIONS
(Ratified Ch.0509) ..... 773, 1158, 1256, 1397, 1503, 1532, 1547, 1604.

H 270 ALIMONY CHANGES
(Ratified Ch.0319) ... 151, 726, 862, 1170, 1191, 1204.

S 287 AMEND STATUTORY RAPE LAW
(Ratified Ch.0281) ..... 592, 945, 1072, 1127, 1153, 1166.

H 720 AMEND STRUCTURED SENTENCING
(Judiciary II) ..... 386, 653.

S 56 ANTIQUATED LAWS REPEALED
(Ratified Ch.0379) ..... 268, 393, 888, 898, 917, 1335, 1345, 1346, 1357.

H 967 ASSAULT LAW ENFORCEMENT OFFICER/ FIREFIGHTER/EMERGENCY MEDICAL SERVICE
(Judiciary II) ..... 498.

S 616 ASSAULT LAW-ENFORCEMENT ANIMAL
(Ratified Ch.0258) ..... 847, 1071, 1127, 1140.

H 765 ASSAULT LAW OFFICER
(Judiciary II) ..... 434.

H 747 ASSAULT ON LAW-ENFORCEMENT ANIMAL
(Judiciary II) (Included Ch.0542) ..... 407.

H 496 ASSAULT ON SCHOOL BUS DRIVER
(Ratified Ch.0352) ..... 277, 636, 756, 1237, 1278, 1283.

S 502 ASSISTED LIVING REQUIREMENT
(Ratified Ch.0535) ..... 871, 1260, 1533, 1536, 1586, 1618.

S 359 BLUE LIGHT BANDIT/FELONY
(Judiciary II) ..... 863.

H 919 BRADY BILL IMPLEMENTATION
(Appropriations) ..... 718, 1260, 1269.

S 259 CIVIL DAMAGES FOR CERTAIN CRIMES
(Ratified Ch.0185) ..... 582, 938, 983, 1004, 1025.

H 387 COMMON-LAW ROBBERY PENALTY
(Judiciary II) ..... 211.

S 865 COMPLY WITH BRADY BILL
(Ratified Ch.0487) ..... 775, 1167, 1319, 1332, 1402, 1412, 1508, 1519, 1523, 1524, 1536.

H 79 CONCEALED HANDGUN PERMIT
(Judiciary I) ..... 63, 391.

CRIMINAL LAW (G.S. 14)-Contd.

H 90 CONCEALED HANDGUN PERMIT
(Ratified Ch.0398) ..... 67, 392, 530, 638, 663, 690, 693, 1345, 1369, 1381.

H 189 CONCEALED WEAPON LICENSE
(Judiciary I) ..... 115, 392.

S 987 CRIMINAL ENTERPRISES
(Ratified Ch.0378) ..... 874, 973, 1137, 1154, 1177, 1217, 1325, 1344.

H 157 CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS (Judiciary II) (S 208) ..... 88.

S 208 CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS (Judiciary II) (H 157) ..... 566.

H 259 DAY CARE PROVIDER RECORDS
(Welfare Reform & Human Resources - Families) ..... 149, 166.

H 96 DOMESTIC ABUSE/DISABLED OR ELDER ADULTS
(Judiciary II) (S 127) ..... 69.

S 127 DOMESTIC ABUSE/DISABLED OR ELDER ADULTS
(Ratified Ch.0246) (H 96) ..... 770, 1044, 1064, 1116.

H 735 DOMESTIC VIOLENCE/BAIL AND SENTENCE
(Judiciary II) ..... 395.

H 686 DOMESTIC VIOLENCE CHANGES
(Senate) ..... 380, 726, 803.

S 567 DOMESTIC VIOLENCE CHANGES
(Calendar Pursuant Rule 36(a)) ..... 773, 1117.

H 962 DRUG KINGPIN ACT
(Judiciary II) ..... 497.

H 207 EXPLOIT CHILD/SOLICIT BY COMPUTER
(Senate) ..... 123, 369, 415.

H 467 EXPLOIT MINOR/INCREASE PENALTY
(Senate) ..... 242, 760, 826.

H 468 FELONY CHILD ABUSE/INCREASE PENALTY
(Senate) ..... 243, 761, 826.

H 812 FIRE MISDEMEANORS RE-ENACTED
(Ratified Ch.0210) ..... 460, 528, 538, 564, 586, 606, 652, 1058.

H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS
(Appropriations) ..... 212.

H 801 HIV ASSAULT
(Judiciary II) ..... 452.

S 559 HOUSING AUTHORITY CHANGES
(Ratified Ch.0520) ..... 872, 1183, 1319, 1402, 1412, 1562, 1571, 1577, 1583, 1584, 1605.

CRIMINAL LAW (G.S. 14)-Contd.

H 944 INCREASE HABITUAL FELON PUNISHMENT (Judiciary II) . . . . . 494.

H 176 INCREASE PENALTY FOR MISDEMEANOR ASSAULT (Judiciary II) . . . . . 105.

H 72 JUVENILE INDECENT LIBERTIES (Ratified Ch.0494) . . . . . 62, 432, 468, 1506, 1526, 1539, 1555.

H 819 LARCENY OF PURCHASED GOODS (Judiciary II) . . . . . 461.

H 280 LIMIT SALE OF SOME PYROTECHNICS (Ratified Ch.0475) . . . . . 153, 240, 325, 577, 645, 648, 1496, 1512, 1531.

H 929 LITTERING PENALTIES (Business & Labor) . . . . . 491.

H 879 LOCAL GUN PRE-EMPTION (Senate) . . . . . 481, 732, 803, 806, 824, 855, 858.

H 838 LOTTERY FOR SCHOOL BUILDINGS (Judiciary II) . . . . . 473, 1261, 1353, 1413, 1422, 1435, 1466.

H 811 NEW CAPITAL CRIME/REPEAL LIFE REVIEW (Judiciary II) . . . . . 459.

H 362 NO DEATH PENALTY/MENTALLY RETARDED (Judiciary II) . . . . . 199.

H 743 NO FIREARM/DOMESTIC VIOLENCE ORDER (Judiciary II) . . . . . 397.

S 402 NO FIREARM/DOMESTIC VIOLENCE ORDER (Ratified Ch.0527) . . . . . 863, 1118, 1163, 1475, 1494, 1585, 1617.

H 147 OFF-DUTY OFFICER/CONCEALED WEAPON (Judiciary I) . . . . . 87, 392.

H 111 OPEN RECORDS AND PUBLISH IDENTITY OF JUVENILES (Senate) . . . . . 74, 578, 611, 627, 650.

H 864 PROHIBITED VENDING MACHINE SALES (Reported Unfavorable) . . . . . 478, 789.

H 40 PROTECT CITIZENS FROM VIOLENCE (Judiciary II) . . . . . 55.

H 243 RAILROAD TRESPASSING/CROSSING SAFETY (Transportation - Airports, Railways & Waterways) . . . . . 142, 370, 433, 630, 706, 707, 728.

H 71 SCHOOL WEAPON EXEMPTION (Ratified Ch.0049) . . . . . 62, 121, 138, 582, 596, 598.

CRIMINAL LAW (G.S. 14)-Contd.

S 53 SEX OFFENDER REGISTRATION
(Ratified Ch.0545) ..... 1496, 1598, 1606, 1611, 1612, 1620.

H 750 STATE GAMES VEHICLES
(Ratified Ch.0097) ..... 408, 522, 539, 895, 905, 911.

H 960 STATE LOTTERY REFERENDUM-1995
(Finance) ..... 497.

H 429 TELEPHONE CONSUMER PROTECTION ACT
(Rules, Calendar & Operations of the House) .. 226, 245.

S 723 TELEPHONE CONSUMER PROTECTION ACT
(Finance) ..... 1267, 1342, 1416.

H 766 TOBACCO SALES/MINORS
(Ratified Ch.0241) ..... 434, 531, 557, 570, 571, 608, 1058, 1090, 1103.

S 955 WIRELESS TELEPHONE FRAUD
(Ratified Ch.0425) ..... 1338, 1359, 1409, 1415.

CRIMINAL PROCEDURE ACT (G.S. 15A)

S 590 1995 TECHNICAL CORRECTIONS
(Ratified Ch.0509) ..... 773, 1158, 1256, 1397, 1503, 1532, 1547, 1604.

H 411 AMEND EXTRADITION LAWS
(Judiciary II) ..... 222.

H 720 AMEND STRUCTURED SENTENCING
(Judiciary II) ..... 386, 653.

H 851 BAIL BOND CHANGES
(Ratified Ch.0290) ..... 475, 801, 840, 1106, 1130, 1149, 1156,1167.

H 919 BRADY BILL IMPLEMENTATION
(Appropriations) ..... 718, 1260, 1269.

S 844 CALENDARING ARRAIGNMENTS/SUPERIOR COURT (Judiciary I) ..... 873.

H 974 CAPITAL CASE APPEALS
(Judiciary II) ..... 500.

S 459 CLARIFY BAIL BOND FORFEITURES
(Ratified Ch.0503) ..... 742, 1483, 1530, 1565.

S 792 CLARIFY BAIL BOND FORFEITURES
(Ratified Ch.0448) ..... 848, 1333, 1391, 1408, 1410, 1467.

H 416 COMMUNITY SERVICE IMMUNITY
(Ratified Ch.0330) ..... 223, 717, 799, 1239.

CRIMINAL PROCEDURE ACT (G.S. 15A)-Contd.

H 268 CONFORM WITNESS TRAVEL FEES (Senate) ..... 150, 764, 786, 858.

H 430 COSTS/VICTIM ASSISTANTS (Appropriations) ..... 226, 972, 1230, 1251.

H 157 CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS (Judiciary II) (S 208) ..... 88.

S 208 CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS (Judiciary II) (H 157) ..... 566.

H 735 DOMESTIC VIOLENCE/BAIL AND SENTENCE (Judiciary II) ..... 395.

H 686 DOMESTIC VIOLENCE CHANGES (Senate) ..... 380, 726, 803.

H 458 DRIVING WHILE IMPAIRED - ASSESSMENT ENHANCEMENT (Ratified Ch.0496) ..... 232, 354, 366, 791, 880, 897, 907, 1534, 1539, 1555.

H 962 DRUG KINGPIN ACT (Judiciary II) ..... 497.

H 961 DRUG OFFENSE PENALTIES (Judiciary II) ..... 497.

S 597 DRUG TRAFFICKING CONSPIRACY (Ratified Ch.0375) ..... 847, 1158, 1315, 1344.

H 436 DRUG TREATMENT COURT ACT (Judiciary II) (Included Ch.0324) (Included Ch.0507) ..... 227, 235.

S 896 ELECTRONIC SURVEILLANCE ACT (Ratified Ch.0407) ..... 874, 1168, 1324, 1382.

S 33 FELONY PLEAS IN DISTRICT COURT (Judiciary II) ..... 870.

H 432 FINGERPRINT DELINQUENT JUVENILES (Judiciary II) ..... 226.

H 353 GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED (Ratified Ch.0506) ..... 192, 294, 347, 390, 409, 1378, 1386, 1405, 1412, 1418, 1556, 1557, 1559, 1565.

H 151 IMPAIRED DRIVING/PRIOR RECORDS (Judiciary II) ..... 87.

H 449 IMPROVE RESTITUTION COLLECTION (Judiciary II) ..... 230.

H 176 INCREASE PENALTY FOR MISDEMEANOR ASSAULT (Judiciary II) ..... 105.

CRIMINAL PROCEDURE ACT (G.S. 15A)-Contd.

H 399 INCREASE SOME FELONY PENALTIES (Judiciary II) . . . . . 220.

H 103 INSURANCE FRAUD (Ratified Ch.0043) . . . . . 70, 239, 271, 289, 529.

H 809 LOCAL OPTION LOTTERY FOR LOCAL NEEDS (Finance) . . . . . 459.

H 81 MANDATORY JAIL FOR SOME DRIVING WHILE IMPAIRED (Senate) . . . . . 65, 289, 322, 389, 402, 427.

H 588 MEDICAL RELEASE/OLDER PRISONERS (Approp - Justice & Public Safety) . . . . . 342, 833.

S 859 MENTAL HEALTH COMMITMENT LAW (Approp - Human Resources) . . . . . 1589.

H 386 MENTAL HEALTH PRETRIAL PROCEDURES (Ratified Ch.0299) . . . . . 211, 559, 587, 1181.

H 156 MODIFY ACTIVE SENTENCE (Judiciary II) (S 209) . . . . . 88.

S 209 MODIFY ACTIVE SENTENCE (Judiciary II) (H 156) . . . . . 549.

H 427 MODIFY CRITERIA FOR INTENSIVE MOTIVATIONAL PROGRAM OF ALTERNATIVE CORRECTIONAL TREATMENT (Judiciary II) (S 404) . . . . . 225.

S 404 MODIFY CRITERIA FOR INTENSIVE MOTIVATIONAL PROGRAM OF ALTERNATIVE CORRECTIONAL TREATMENT (Ratified Ch.0446) (H 427) . . . . . 871, 1117, 1374, 1384, 1404, 1467.

H 811 NEW CAPITAL CRIME/REPEAL LIFE REVIEW (Judiciary II) . . . . . 459.

H 362 NO DEATH PENALTY/MENTALLY RETARDED (Judiciary II) . . . . . 199.

S 402 NO FIREARM/DOMESTIC VIOLENCE ORDER (Ratified Ch.0527) . . . . . 863, 1118, 1163, 1475, 1494, 1585, 1617.

H 111 OPEN RECORDS AND PUBLISH IDENTITY OF JUVENILES (Senate) . . . . . 74, 578, 611, 627, 650.

H 375 OUT-OF-STATE INMATES/FUNDING (Ratified Ch.0081) . . . . . 201, 254, 301, 622, 696, 809, 852, 868.

H 634 PRISONER TRANSPORT (Ratified Ch.0206) . . . . . 371, 636, 796, 1057.

CRIMINAL PROCEDURE ACT (G.S. 15A)-Contd.

H 909 PROBATION BONDS
(Finance) ..... 487, 1134, 1431.

H 40 PROTECT CITIZENS FROM VIOLENCE
(Judiciary II) ..... 55.

H 4 REPEAL PRISON CAP
(Appropriations) (Included Ch.0324) ..... 44, 144, 180, 191, 1083, 1168.

H 170 REQUIRE ALTERNATIVE PUNISHMENTS
(Judiciary I) ..... 100.

S 4 REQUIRE ALTERNATIVE PUNISHMENTS
(Ratified Ch.0429) ..... 90, 1053, 1071, 1130, 1151, 1432.

H 945 RESETTING EXECUTION DATE
(Judiciary II) (S 564) .... 494, 622, 696, 809, 852, 868.

S 564 RESETTING EXECUTION DATE
(Judiciary II) (H 945) ..... 773.

H 267 RESTITUTION/CIVIL JUDGMENT
(Approp - Justice & Public Safety) ..... 150, 764, 786, 1084.

H 155 RESTITUTION/VICTIM IMPACT STATEMENTS
(Judiciary II) ..... 88.

S 325 SPECIAL PROSECUTOR/GRAND JURIES
(Ratified Ch.0362) ..... 582, 1158, 1303, 1307.

H 254 SPEEDY TRIAL LAW
(Judiciary II) ..... 147.

H 9 STREAMLINE CRIMINAL APPEALS
(Senate) ..... 45, 251, 347.

H 32 TRANSFER CRIMINAL CALENDAR
(Judiciary II) ..... 51.

H 232 VICTIMS' RIGHTS CHANGES
(Approp - Justice & Public Safety) ..... 136, 786, 1418.

H 973 WAIVE JURY TRIAL/NONCAPITAL CASES
(Judiciary II) ..... 499.

CROSSOVER DEADLINE AGREEMENT BETWEEN TWO HOUSES ..... 867.

CULP, ARLIE F.

APPROVAL OF VOTE CHANGE ON H.B. 710 ..... 779.

BILLS INTRODUCED - 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,17, 18, 24, 38, 44, 60, 61, 65, 86, 87, 90, 96, 97, 98, 99, 100, 101, 105, 127, 130, 142, 147, 159, 161, 165, 170, 175, *182, *183, *184, *185, *186, *187, 191, 192, 207, 212, 220, 223, 236, 241, 247, 252, 320,

CULP, ARLIE F. -Contd.
321, 322, 323, 324, 326, 327, 328, 350, 352, *354, *355, *356, 357, 365, 382, 388, 397, 398, 399, 417, 418, 423, 429, 430, 431, 432, *438, 454, 463, 474, 479, 481, 488, 489, 494, 496, 497, 500, 502, 503, 511, 522, 526, 531, 540, 545, 546, *550, 569, 571, 585, 597, *600, *601, *657, 721, 743, 747, 748, 767, 768, 769, 772, 776, 781, 782, 786, 794, *798, 801, 808, 811, 820, *824, *825, *826, 827, 834, 841, 846, 852, 899, 904, 925, 928, 935, 949, 953, 999, 1000, 1013, 1020, 1027, *1028, 1029, 1031, 1038, 1041, 1050.
COMMITTEE ASSIGNMENTS - Agriculture, Vice Chair; Appropriations - Subcommittee on Natural and Economic Resources; Health and Environment; Public Employees, Chair; Welfare Reform and Human Resources - Subcommittee on Aging.
ESCORT FOR MISS AMERICA 1995 ..... 553.
ESCORT FOR SPEAKER PRO TEMPORE ..... 33.
EXCUSED ABSENCES ..... 144, 1564.
OATH ..... 12.
SECONDS ADJOURNMENT ..... 60.

CULPEPPER, WILLIAM T., III
APPOINTED TO SELECT COMMITTEE ON TORT REFORM ..... 308.
BILLS INTRODUCED - 105, *106, *107, 130, 161, 179, *182, *183, *184, *185, *186, *187, 191, 192, 223, 225, 236, 252, 366, 367, *373, *383, 435, 436, 474, 500, 503, *507, 540, *543, 556, *560, *561, *562, *563, *564, *565, 597, *609, *610, *611, *612, *651, 699, 700, 760, 771, 773, 791, 804, 808, *809, 815, 836, *842, 846, 852, 872, 895, 925, 948, *981, 987, 995, 1041, 1057.
COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on General Government, Ranking Minority Member; Judiciary II, Ranking Minority Member; Local and Regional Government II; Welfare Reform and Human Resources - Subcommittee on Families.
CONFEREE: H.B. 229, H.B. 230, H.B. 353, H.B. 373, S.B. 27, S.B. 56, S.B. 57, S.B. 84, S.B. 119
EXCUSED ABSENCES ..... 236, 303, 911, 1116.
OATH ..... 12.
SECONDS ADJOURNMENT ..... 1053.

CUMBERLAND COUNTY
H 330 CODE PROCESS (Ratified Ch.0320) ..... 174, 312, 362, 399, 549, 567, 574, 589, 594, 595, 1157, 1172, 1199, 1204.

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S 627 CUMBERLAND ROOM TAX ADMINISTRATION (Local & Regional Government II) ..... 872.

S 630 CUMBERLAND STORMWATER UTILITY CHARGES (Ratified Ch.0469) ..... 872, 1022, 1490, 1498, 1505.

S 592 FAYETTEVILLE FAIR HOUSING AMENDMENTS (Local & Regional Government I) ..... 704.

H 464 HOPE MILLS DEANNEXATION (Ratified Ch.0138) ..... 241, 365, 405, 426, 440, 972.

H 495 INJURY TO LAW ENFORCEMENT ANIMAL (Senate) ..... 277, 516, 662, 734, 780, 815, 853.

H 160 LOCAL DRUG-FREE HOUSING (Senate) ..... 89, 406, 443, 453, 613, 663.

H 578 LOCAL GEOGRAPHICAL INFORMATION SYSTEM RECORDS EXEMPTION (Ratified Ch.0151) ..... 340, 618, 663, 963, 976, 995.

CUMMINGS, FRANCES M.

BILLS INTRODUCED - 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 38, 39, 41, 43, 44, 61, 62, 65, 72, 92, 104, 105, 121, 124, 126, 127, 142, *146, 161, *178, 192, *200, *201, *202, *203, 216, 217, 220, 223, 224, 227, 228, 236, *241, *242, 252, 256, 269, 270, 271, 272, 274, 305, *318, 325, 326, 334, 335, 349, 362, 365, 368, 393, 397, 417, 419, 449, 451, 453, 455, 463, 466, 467, 468, 474, 479, *480, 487, 488, 494, 496, 497, 500, 502, 511, 523, 540, 546, 547, 549, 559, 571, 572, 597, 622, 624, *626, 684, 686, 702, 707, 718, 721, 722, 734, 735, 743, 744, 745, 748, *755, 765, 767, 770, 771, 773, 785, *786, 801, 804, 818, 820, 834, 836, 845, 877, 899, 925, 927, 936, 963, 1013, 1017, *1026, 1029, 1038, 1049, 1050.

COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Education; Business and Labor - Subcommittee on Economic Expansion and Growth; Education, Vice Chair; Education - Subcommittee on Preschool, Elementary and Secondary Education, Chair; State Government - Subcommittee on State Parks, Facilities and Property.

CONFEREE: H.B. 146, H.B. 229, H.B. 230, S.B. 1078

ESCORT FOR GOVERNOR ..... 84.

EXCUSED ABSENCE ..... 1139.

OATH ..... 12.

OFFERS PRAYER ..... 160.

SECONDS ADJOURNMENT ..... 729.

CUNNINGHAM, W. PETE

BILLS INTRODUCED - 19, 161, 174, 180, 191, 211, 216, 217, 223, 225,

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236, 247, *256, *257, 282, 283, 362, 377, 397, 435, 436, 437, 444, 467, 468, 471, 472, 474, 475, 487, 497, *498, 503, 523, 540, 548, 549, 551, 552, 619, 699, 700, 760, 771, 786, 815, 838, 840, 852, 860, 963, *969, 999, 1012, 1017, 1027, 1031, 1036, 1041, 1044, *1051.
COMMITTEE ASSIGNMENTS - Business and Labor - Subcommittee on Labor Relations and Employment; Finance; State Government - Subcommittee on State Parks, Facilities and Property; Welfare Reform and Human Resources - Subcommittee on Aging.
EXCUSED ABSENCES ..... 404, 617, 731, 911.
MINORITY WHIP ..... 37.
OATH ..... 12.

CURRITUCK COUNTY
H 208 COUNTY SCHOOL ACQUISITION
(Ratified Ch.0251) ..... 124, 210, 313, 345, 363, 400, 1033, 1038, 1039, 1045, 1050, 1088, 1108, 1129, 1139.
H 676 CURRITUCK BEAUTIFICATION DISTRICT
(Ratified Ch.0303) ..... 379, 619, 961, 977, 998, 1182.
H 675 CURRITUCK MEALS TAX
(Finance) ..... 378.
H 239 CURRITUCK/UNION SCHOOL ACQUISITION
(Ratified Ch.0363) ..... 141, 253, 269, 337, 401, 412, 1236, 1277, 1300, 1308.

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DANIELEY, JOAN N.
APPOINTMENT AND OATH AS READING CLERK ..... 35.

DARE COUNTY
H 651 DARE BEACHES REGULATE NOISE
(Ratified Ch.0084) ..... 374, 469, 502, 863, 875, 883.
H 563 DARE COUNTY LOCAL BILL
(Rules, Calendar & Operations of the House) .. 332, 687.
H 507 DARE COUNTY MOTOR VEHICLE/NOISE ENFORCEMENT (Ratified Ch.0196) ... 280, 727, 748, 1013, 1028, 1040.
H 543 DARE/PAMLICO GEOGRAPHICAL INFORMATION SYSTEM RECORDS EXCEPTION
(Ratified Ch.0095) ..... 317, 517, 537, 895, 905, 911.
H 383 DUCK BEAUTIFICATION DISTRICT
(Ratified Ch.0101) ..... 210, 365, 405, 425, 439, 916.

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H 373 LOCAL DEER HUNTING
(Ratified Ch.0110) ..... 201, 295, 318, 333, 466, 501, 551, 616, 625, 643, 801, 813, 933, 937.

H 611 SOUTHERN SHORES EXEMPTION
(Ratified Ch.0070) ..... 357, 545, 568, 731.

DAUGHTRY, N. LEO

ANNOUNCES REPUBLICAN CAUCUS LEADERS ..... 37.
APPOINTED CHAIR AND MEMBER OF
SELECT COMMITTEE ON TORT REFORM ..... 308.
BILLS INTRODUCED - *1, *2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, *41, *43, 44, *113, 141, 191, 192, 236, 326, *420, 467, 468, 481, *490, *509, 556, *557, 573, *687, *695, *696, *714, *715, 729, 730, 731, 752, 775, 776, *778, 781, 785, 791, *797, 835, 852, 858, 860, 876, 911, *918, *919, *956, 1001, 1041.
COMMITTEE ASSIGNMENTS - Judiciary I, Chair; Ex Officio Member of all Committees.
CONFEREE: H.B. 229, H.B. 230, H.B. 637, S.B. 3, S.B. 16, S.B. 56, S.B. 320, S.B. 559 (Chair), S.B. 974
ESCORT FOR CHIEF JUSTICE ..... 284.
ESCORT FOR CYNTHIA BAILEY WATSON ..... 97.
ESCORT FOR GOVERNOR ..... 84.
ESCORT FOR JONATHAN ROBINSON ..... 883.
ESCORT FOR SPEAKER ..... 23.
EXCUSED VOTE: S.B. 1086 ..... 1093.
EXCUSED VOTE: S.B. 345 ..... 1545.
INTRODUCES NEW MEMBER
CYNTHIA WATSON ..... 97.
MAJORITY LEADER ..... 37.
OATH ..... 12.
SECONDS ADJOURNMENT ..... 52.

DAVIDSON COUNTY

H 469 DAVIDSON SCHOOL ELECTIONS
(Ratified Ch.0300) ..... 243, 254, 269, 281, 1182.

H 495 INJURY TO LAW ENFORCEMENT ANIMAL
(Senate) ..... 277, 516, 662, 734, 780, 815, 853.

H 570 LEXINGTON UTILITIES COMMISSION
(Rules, Calendar & Operations of the House) .. 338, 349.

S 570 LEXINGTON UTILITIES COMMISSION
(Ratified Ch.0442) (Included Ch.0542)
(H 684) ..... 1107, 1341, 1375, 1449.

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H 684 PIPELINE GENERATION EXEMPTION
(Rules, Calendar & Operations of the House)
(Included Ch.0542) (S 570) ..... 380, 800, 839.

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S 568 DAVIE SCHOOL ELECTIONS
(Ratified Ch.0307) ..... 533, 604, 923, 943, 1137, 1175, 1183.

H 679 DAVIE SUBDIVISION DEFINITION
(Ratified Ch.0078) ..... 379, 619, 647, 844.

H 495 INJURY TO LAW ENFORCEMENT ANIMAL
(Senate) ..... 277, 516, 662, 734, 780, 815, 853.

DAVIS, DONALD

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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations - Subcommittee on Education; Business and Labor, Vice Chair; Business and Labor - Subcommittee on Economic Expansion and Growth; State Government - Subcommittee on Military, Veterans and Indian Affairs.

EXCUSED ABSENCE ..... 1357.

OATH ..... 12.

SECONDS ADJOURNMENT ..... 140, 471, 1068.

DEBT, STATE (G.S. 142)

S 8 INTANGIBLES REPEAL/HOLD HARMLESS
(Ratified Ch.0041) ..... 106, 209, 513, 526, 529.

S 120 MAKE BOND TAXATION UNIFORM
(Ratified Ch.0046) ..... 250, 285, 538, 552, 562.

H 279 STATE ENERGY POLICY
(Finance) ..... 153, 183.

DEBT, STATE (G.S. 142)-Contd.
H 142 TAX LAW TECHNICAL CHANGES
(Ratified Ch.0370) ..... 86, 699, 878, 886, 1287, 1310, 1315.
H 35 TAX RELIEF/COMPETITIVENESS
(Finance) ..... 54.

DECKER, MICHAEL P.
APPOINTED TO SELECT COMMITTEE ON TORT REFORM ..... 415.
APPROVAL OF VOTE CHANGE ON H.B. 24 ..... 554.
APPROVAL OF VOTE CHANGE ON H.B. 300 ..... 244.
APPROVAL OF VOTE CHANGE ON S.B. 57 ..... 1442.
BILLS INTRODUCED - 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 38, 44, 65, *72, *79, 86, 87, 90, 92, 104, 105, 111, 125, 127, 130, 142, 161, 189, 190, 191, 192, 207, 210, 212, 223, 236, 272, 273, 274, 317, 326, 330, 349, 357, 365, 382, 396, 397, 434, 449, 450, 455, 461, 466, 467, 468, 479, *481, 487, 488, 489, 493, 501, 509, 526, 531, *532, *533, *534, 546, 569, *571, *575, *576, 585, 597, *624, 733, 734, 735, 744, 745, 773, 777, 781, 785, 786, 791, 801, 811, 820, 834, 837, 852, 878, *917, 939, 1000, 1050.
COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on General Government; Education - Subcommittee on Preschool, Elementary and Secondary Education; Judiciary II; Local and Regional Government II, Chair.
CONFEREE: H.B. 330 (Chair), H.B. 661
EXCUSED ABSENCES ..... 207, 911, 993, 1307, 1337.
OATH ..... 12.
OFFERS PRAYER ..... 575.
SECONDS ADJOURNMENT ..... 181, 189.

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S 513 ANTIDEFICIENCY JUDGMENT AMENDMENT
(Judiciary I) ..... 871.
H 459 DEED OF TRUST CANCELLATION
(Ratified Ch.0292) ..... 232, 302, 334, 1044, 1059, 1097, 1122, 1133, 1147, 1181.
S 408 EXTEND EQUITY LINE AGREEMENTS
(Ratified Ch.0237) ..... 607, 1041, 1092, 1103.

DICKSON, WALTER W.
BILLS INTRODUCED - 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 44, *61, *62, 83, 90, 127, 130, 142, 147, *161, 170, 191, 192, *204, 207, 210, *218, *219, 220, 223, 225, 236, *247, *287, *288, *289, *290, 291,

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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Human Resources; Financial Institutions; Health and Environment; Local and Regional Government II; Public Utilities, Chair.
CONFEREE: H.B. 330
EXCUSED ABSENCES ..... 182, 293, 303, 882, 901, 936, 993.
OATH ..... 12.

DISABLED PERSONS
S 554 GOODS AND SERVICES/DISABLED
(Ratified Ch.0256) .. 773, 940, 1013, 1055, 1126, 1140.

DISCHARGE MOTION AND PETITION FILED
H 838 LOTTERY FOR SCHOOL BUILDINGS
(Judiciary II) ..... 1353, 1413, 1422, 1435, 1466.

DISCRIMINATION
H 958 MENTAL HEALTH COVERAGE
(Ratified Ch.0157) ..... 496, 733, 825, 996.
H 594 NO INSURANCE DISCRIMINATION/ BONES AND JOINTS
(Ratified Ch.0483) ..... 343, 621, 652, 1519, 1526, 1535.
H 862 NO PREFERENCES GRANTED
(Judiciary I) ..... 477.
H 882 PRESCRIPTION DRUG PRICING/ACCESS
(Reported Unfavorable) ..... 481, 682.
S 26 SCHOOL EXPULSION MODIFIED
(Ratified Ch.0386) ..... 769, 1051, 1100, 1120, 1185, 1187, 1297, 1380.

DIVORCE AND ALIMONY (G.S. 50)
S 590 1995 TECHNICAL CORRECTIONS
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H 270 ALIMONY CHANGES
(Ratified Ch.0319) ... 151, 726, 862, 1170, 1191, 1204.

DIVORCE AND ALIMONY (G.S. 50) -Contd.

H 272 ALLOW INTERIM DISTRIBUTION AWARDS/EQUITABLE DISTRIBUTION (Ratified Ch.0240) ... 151, 700, 823, 1058, 1090, 1103.

H 168 CHILD SUPPORT CHANGES (Ratified Ch.0538) ..... 99, 912, 928, 968, 982, 1061, 1152, 1257, 1589, 1601, 1609, 1619.

H 686 DOMESTIC VIOLENCE CHANGES (Senate) ..... 380, 726, 803.

H 273 EQUITABLE DISTRIBUTION BEFORE OR AFTER DIVORCE (Ratified Ch.0245) ..... 151, 768, 862, 1089, 1109, 1112, 1116.

H 269 EQUITABLE DISTRIBUTION/SANCTION DELAY (Ratified Ch.0244) ..... 151, 726, 861, 1088, 1108, 1112, 1116.

S 501 GRANDPARENT CHILD SUPPORT LIABILITY (Ratified Ch.0518) ..... 847, 938, 984, 1004, 1033, 1048, 1098, 1605.

H 40 PROTECT CITIZENS FROM VIOLENCE (Judiciary II) ..... 55.

H 250 PSYCHOLOGICAL COUNSELING OF PARENTS (Judiciary II) (S 379) ..... 146.

S 258 RECORD KEEPING/CHILD SUPPORT (Ratified Ch.0444) ..... 566, 902, 1408, 1467.

H 869 STANDBY GUARDIANSHIP ACT (Judiciary II) (S 682) ..... 479, 577.

S 682 STANDBY GUARDIANSHIP ACT (Ratified Ch.0313) (H 869) ..... 774, 902, 1154, 1204.

DOCKHAM, JERRY C.

BILLS INTRODUCED - 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 38, 43, 44, 51, 61, 64, 65, 90, 105, 124, 126, 127, 130, 142, 161, 191, 192, 220, 223, 236, 331, 365, 388, *408, 416, 418, *421, 443, 467, 468, *469, 479, 481, 489, 496, 497, 500, 540, 550, 556, 570, 571, 597, 601, 624, 635, 738, 749, 759, 773, 781, *788, 801, 820, 829, 834, 836, 852, *861, 899, *914, *915, 1020.

COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Transportation; Education - Subcommittee on Community Colleges and Universities; Financial Institutions; Insurance, Chair; Rules, Calendar and Operations of the House.

CONFEREE: H.B. 6, S.B. 200

EXCUSED ABSENCES ..... 901, 1006, 1203.

OATH ..... 12.

SECONDS ADJOURNMENT ..... 67, 195.

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H 90 CONCEALED HANDGUN PERMIT
(Ratified Ch.0398) ..... 67, 392, 530, 638, 663, 690, 693, 1345, 1369, 1381.
H 686 DOMESTIC VIOLENCE CHANGES
(Senate) ..... 380, 726, 803.
S 567 DOMESTIC VIOLENCE CHANGES
(Calendar Pursuant Rule 36(a)) ..... 773, 1117.
H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS
(Appropriations) ..... 212.
H 743 NO FIREARM/DOMESTIC VIOLENCE ORDER
(Judiciary II) ..... 397.
S 402 NO FIREARM/DOMESTIC VIOLENCE ORDER
(Ratified Ch.0527) ..... 863, 1118, 1163, 1475, 1494, 1585, 1617.

DRUGS - see SUBSTANCE ABUSE

DUPLIN COUNTY
H 681 DUPLIN LOCAL ACT
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H 659 DUPLIN ROAD HUNTING
(Senate) ..... 376, 601, 625, 1184, 1210, 1249.
H 849 DUPLIN SPORTS CLUB PERMITS
(Ratified Ch.0224) ..... 475, 763, 827, 1070.
H 160 LOCAL DRUG-FREE HOUSING
(Senate) ..... 89, 406, 443, 453, 613, 663.
S 104 REVENUE LAWS TECHNICAL CHANGES
(Ratified Ch.0017) ..... 159, 248, 270, 281, 324.

DURHAM COUNTY
H 330 CODE PROCESS
(Ratified Ch.0320) ..... 174, 312, 362, 399, 549, 567, 574, 589, 594, 595, 1157, 1172, 1199, 1204.
S 507 DURHAM ASSESSMENTS
(Finance) ..... 550, 934.
H 652 DURHAM BOARD OF ADJUSTMENT VOTE
(Local & Regional Government I) ..... 374.
H 654 DURHAM CONTRACT BIDDING
(Local & Regional Government I) ..... 375.
S 684 DURHAM EMERGENCY REPAIRS
(Finance) ..... 678, 1134.
S 713 DURHAM FACILITIES FEES
(Rules, Calendar & Operations of the House) ..... 1384.

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S 685 DURHAM TRANSPORTATION AUTHORITY VOTING (Ratified Ch.0338) ..... 660, 1135, 1224, 1252, 1266.

H 653 DURHAM/ACTIONS TAKEN FOR JUST CAUSE (Local & Regional Government I) ..... 375.

S 714 DURHAM/ANNEXATION ZONINGS (Ratified Ch.0282) ..... 661, 1055, 1151, 1153, 1166.

S 712 DURHAM/EMPLOYMENT DISCRIMINATION (Ratified Ch.0537) ..... 812, 1550, 1608, 1619.

H 660 PARKWOOD ANNEXATION REFERENDA (Finance) (Included Ch.0542) ..... 376, 601.

H 703 ROUGEMONT INCORPORATED (Local & Regional Government I) ..... 383.

H 667 WHEEL LOCKS (Ratified Ch.0381) ..... 377, 545, 922, 929, 942, 1358.

DWI (Driving While Impaired)

H 229 1995 CONTINUATION BUDGET (Ratified Ch.0324) ..... 135, 618, 666, 670, 678, 913, 918, 941, 947, 1214, 1220, 1221, 1231, 1238.

H 134 DIVISION OF MOTOR VEHICLES/DEPARTMENT OF TRANSPORTATION TECHNICAL CHANGES (Ratified Ch.0163) ..... 82, 180, 620, 721, 752, 975, 997, 1007.

H 458 DRIVING WHILE IMPAIRED-ASSESSMENT ENHANCEMENT (Ratified Ch.0496) ..... 232, 354, 366, 791, 880, 897, 907, 1534, 1539, 1555.

H 353 GOVERNOR'S TASK FORCE ON DRIVING WHILE IMPAIRED (Ratified Ch.0506) ..... 192, 294, 347, 390, 409, 1378, 1386, 1405, 1412, 1418, 1556, 1557, 1559, 1565.

H 151 IMPAIRED DRIVING/PRIOR RECORDS (Judiciary II) ..... 87.

H 81 MANDATORY JAIL FOR SOME DRIVING WHILE IMPAIRED (Senate) ..... 65, 289, 322, 389, 402, 427.

H 791 THREE STRIKES AND YOU WALK (Senate) ..... 450, 658, 707, 708, 709.

H 298 YOUTH-ALCOHOL DRIVERS LICENSE REVOCATION (Transportation) ..... 157.

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BILLS INTRODUCED - 22, 23, 25, 27, 28, 124, 161, 191, 223, 225, 236, 247, 252, 273, 282, 283, 287, 288, 289, 290, 291, 292, 293, 294, 295, 298, 299, 315, 327, 328, 332, 377, 397, 444, 445, 471, 472, 474, 475, 487, 496, 497, 498, 502, 503, 523, 540, 544, 548, 549, 551, 552, 617, 618, 619, 744, 745, 772, 786, 815, 821, 822, 823, 871, 876, 895, 913, 963, 999, 1017, 1022, 1023, 1024, 1025, 1031, *1036, 1039, 1040, 1041, 1044, 1048, 1056, 1064.

COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Human Resources; Business and Labor - Subcommittee on Travel and Tourism; Health and Environment; Welfare Reform and Human Resources - Subcommittee on Aging.

EXCUSED ABSENCE ..... 404.

OATH ..... 12.

SECONDS ADJOURNMENT ..... 216, 925.

EASTERLING, RUTH M.

BILLS INTRODUCED - 161, 191, 192, 196, 225, 269, 270, 271, 272, 273, 274, 275, 280, 281, 282, 283, 285, 286, 291, *292, *293, *294, *295, 296, 297, 298, 315, 327, 328, 377, 397, 404, 436, 444, 445, 471, 472, 474, 475, 487, 496, 497, 498, 501, 502, 503, 540, 546, 548, 549, *551, 552, 568, 617, 618, 619, 699, 700, 771, *772, 773, 774, 815, 820, 821, 822, 823, 860, *869, 871, 982, 996, 999, *1003, 1017, 1022, 1023, 1024, 1025, 1036, 1041, 1044, *1048, 1057, 1064.

COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Justice and Public Safety; Pensions and Retirement; Public Employees; Welfare Reform and Human Resources - Subcommittee on Families.

EXCUSED ABSENCES ..... 936, 1504.

OATH ..... 12.

SECONDS ADJOURNMENT ..... 1563.

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H 229 1995 CONTINUATION BUDGET
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H 230 1995 EXPANSION/CAPITAL BUDGET
(Ratified Ch.0507) ..... 136, 1297, 1311, 1315, 1338, 1447, 1454, 1464, 1573, 1574, 1575, 1592.

S 135 CERTAIN REVERSIONS
(Ratified Ch.0430) ..... 1356, 1358, 1392, 1407, 1433.

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H 228 CONTINUE EXPIRING PROVISIONS (Ratified Ch.0358) ..... 130, 1275, 1289, 1296.

H 1062 ENTERPRISE TAX ZONE DEVELOPMENT ACT (Business & Labor) ..... 869.

H 396 EXPAND PORTS TAX CREDIT (Ratified Ch.0495) ..... 219, 922, 931, 944, 1534, 1539, 1555.

H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS (Appropriations) ..... 212.

S 268 LOSS RESERVE ACCOUNTS/ECONOMIC DEVELOPMENT (Ratified Ch.0252) ..... 424, 1066, 1126, 1140.

H 422 NORTH CAROLINA ENTERPRISE CORPORATIONS (Senate) ..... 224, 327, 579, 638, 1259, 1267, 1300.

S 901 PRESIDENT PRO TEMPORE'S APPOINTMENTS (Ratified Ch.0490) ..... 865, 1416, 1510, 1554.

H 191 REQUIRE FISCAL NOTE/SUBJECT MATTER NOTICE (Appropriations) ..... 115, 209.

H 475 SMALL BUSINESS CAPITAL AND GROWTH ACT (Finance) ..... 256, 328, 917, 928.

S 572 SMALL BUSINESS SURETY BONDS (Finance) ..... 1471.

S 81 UNIFORM COMMERCIAL CODE AMENDMENTS (Ratified Ch.0232) ..... 845, 975, 1021, 1102.

H 888 WATERSHED PROTECTION REPEAL (Health & Environment) ..... 482.

EDDINS, RICKY L.

APPROVAL OF VOTE CHANGE ON S.B. 528 ..... 1542.

BILLS INTRODUCED - 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 44, 65, 126, 127, 130, 142, 147, 161, 170, 210, 223, 236, 326, 327, 349, 365, 368, 382, 388, 424, 445, 453, 454, 455, 463, 466, 467, 468, 479, 481, 494, 496, 501, 568, 573, 597, 601, 617, 624, 660, 721, 722, 724, 733, 743, 744, 747, 770, 776, 801, 811, 820, 826, 828, 834, 836, 846, 852, 877, 878, 904, *906, *907,*908, 917, 935, 936, 995, *1020, 1027, 1038, 1040, 1041, 1050.

COMMITTEE ASSIGNMENTS - Agriculture; Education, Vice Chair; Education - Subcommittee on Preschool, Elementary and Secondary Education; Finance; Transportation - Subcommittee on Public Transportation.

CONFEREE: H.B. 7, H.B. 955, S.B. 1078

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EDDINS, RICKY L.-Contd.
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SECONDS ADJOURNMENT ..... 505, 1179.

EDGECOMBE COUNTY
H 603 ALAMANCE/EDGECOMBE CONSTRUCTION
(Ratified Ch.0198) ..... 356, 544, 568, 727, 748, 1041.
H 208 COUNTY SCHOOL ACQUISITION
(Ratified Ch.0251) ..... 124, 210, 313, 345, 363, 400, 1033, 1038, 1039, 1045, 1050, 1088, 1108, 1129, 1139.
H 642 EDGECOMBE COMMISSIONERS ELECTION
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H 643 EDGECOMBE FIRE DISTRICTS
(Ratified Ch.0187) ..... 373, 686, 792, 852, 876, 1025.
H 644 EDGECOMBE SCHOOL ACQUISITION
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H 214 TARBORO CHARTER REVISION
(Ratified Ch.0073) ..... 127, 139, 253, 269, 337, 361, 398, 766.

EDUCATION (G.S. 115C) - also see COMMUNITY COLLEGES; HIGHER EDUCATION
H 229 1995 CONTINUATION BUDGET
(Ratified Ch.0324) ..... 135, 618, 666, 670, 678, 913, 918, 941, 947, 1214, 1220, 1221, 1231, 1238.
H 230 1995 EXPANSION/CAPITAL BUDGET
(Ratified Ch.0507) ..... 136, 1297, 1311, 1315, 1338, 1447, 1454, 1464, 1573, 1574, 1575, 1592.
H 877 ABOLISH END-OF-COURSE TESTING
(Senate) ..... 480, 560, 600, 649, 665.
H 22 ABOLISH RUNOFF PRIMARY
(Judiciary II) ..... 49.
H 235 ADMINISTRATOR STANDARDS BOARD CHANGES
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S 701 ALGEBRA/LEARNING DISABLED CHILD
(Ratified Ch.0371) ..... 812, 1037, 1155, 1177, 1293, 1343.
H 180 ALTERNATIVE LEARNING PROGRAMS
(Approp - Education) ..... 113, 406, 1073.
H 881 ALTERNATIVE TEACHER CERTIFICATION
(Senate) ..... 481, 563, 609, 694, 711.
H 871 ASSIST TO LOW PERFORMING SCHOOLS
(Senate) ..... 479, 560, 600, 822, 825.

EDUCATION (G.S. 115C)-Contd.

H 1025 BRAILLE LITERACY
(Approp - Human Resources) ..... 704, 1083.

H 210 CAREER TEACHER DISMISSALS
(Rules, Calendar & Operations of the House)
(Included Ch.0542) ..... 124, 630, 722.

H 908 CHARACTER EDUCATION REQUIRED
(Senate) ..... 487, 656, 706, 721.

S 1078 CHARACTER EDUCATION REQUIRED
(Conference Committee) ..... 850, 1072, 1178, 1304.

S 940 CHARTER SCHOOL ACT OF 1995
(Education) ..... 874.

H 955 CHARTER SCHOOL EDUCATION OPPORTUNITY
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1090, 1095, 1157, 1201, 1587.

H 781 CHILDREN FIRST/EDUCATIONAL OPPORTUNITY
(Approp - Education) ..... 438, 616, 925, 1074.

S 858 CLARIFY SCHOOL ADMINISTRATOR'S
CONTRACTS (Ratified Ch.0369) 775, 1103,
1154, 1197, 1289, 1314.

H 767 ELEMENTARY EDUCATION GUN SAFETY
PROGRAM (Ratified Ch.0289) 434, 668,
723, 1123, 1150, 1167.

S 918 EMERGENCY SCHOOL CLOSINGS
(Ratified Ch.0130) ..... 813, 946, 969, 971.

H 889 FINANCIAL AID/REGISTERED VOTER ONLY
(State Government) ..... 483.

H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS
(Appropriations) ..... 212.

S 967 INMATE LABOR PILOT PROGRAM/COMMUNITY
COLLEGE (Ratified Ch.0269) 849, 951,
1027, 1092, 1142.

S 538 JOINT SESSION FOR CONFIRMATION
(Ratified Res.07) 533, 989, 1014,
1025, 1469, 1484, 1486.

H 224 LIMIT CLASS-SIZE WAIVERS
(Approp - Education) ..... 129, 197.

H 827 LIMITED VOTING/EXTENDING TERMS
(Judiciary II) ..... 463.

H 917 LITERARY RESTORATION ACT OF 1995
(Senate) ..... 488, 715, 776, 819.

H 638 LOCAL PRIVATE SALES
(Ratified Ch.0154) ..... 372, 605, 626, 964, 977, 995.

EDUCATION (G.S. 115C)-Contd.

H 202 MOMENT OF SILENCE
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S 140 MOMENT OF SILENCE
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H 109 NO NORTH CAROLINA DRIVER LICENSE FOR
DROPOUTS (Approp - Education) ..... 73, 417, 1073.
H 900 NO SCHOOL EMPLOYEE POLITICAL ACTION
(Finance) ..... 485, 705, 1213, 1446.
H 906 NO VULGAR MATERIAL IN SCHOOLS
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H 77 NOTICE OF SCHOOL REPLACEMENT
(Education) (S 63) ..... 63.
S 63 NOTICE OF SCHOOL REPLACEMENT
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S 922 OPPORTUNITIES FOR TEACHER ASSISTANTS
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H 954 PARENTAL CHOICE IN EDUCATION
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(Included Ch.0542) ..... 496, 925, 1036, 1075.
H 1033 PIEDMONT TRIAD PILOT SCHOOL PROJECT
(Approp - Education) ..... 737, 942, 1075.
H 40 PROTECT CITIZENS FROM VIOLENCE
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H 8 PUBLIC INSTRUCTION REORGANIZATION PLAN
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H 389 PUBLIC SCHOOL BUILDING BOND ACT OF 1995
(Finance) ..... 212, 1466, 1490, 1499, 1514, 1599.
H 487 PUBLIC SCHOOL UNIFORM PILOT
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H 939 REAL EDUCATION PROGRAM
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Operations of the House) ..... 493, 580, 735, 1146.
H 457 RECOGNIZE AMERICAN SIGN LANGUAGE
(Senate) ..... 232, 418, 1082, 1505, 1530.
H 244 REDUCE CORPORATE INCOME TAX
(Finance) ..... 142.
H 927 REFOCUS SCHOOL TESTING ON BASICS
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S 24 REFOCUS SCHOOL TESTING ON BASICS
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S 277 REMOVE 50 ACRE SCHOOL SITE LIMIT
(Ratified Ch.0199) .. 567, 951, 1010, 1032, 1046, 1057.

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S 51 REMOVE DANGEROUS STUDENTS FROM SCHOOL
(Ratified Ch.0293) ..... 770, 1051, 1112, 1131, 1181.

H 23 REPEAL SOUTH AFRICA RESTRICTIONS
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H 230 1995 EXPANSION/CAPITAL BUDGET (Ratified Ch.0507) . . . . . 136, 1297, 1311, 1315, 1338, 1447, 1454, 1464, 1573, 1574, 1575, 1592.
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H 825 AMEND FUNERAL/CREMATION LAWS
(Senate) ..... 462, 580, 639, 655, 670, 962, 979, 1000, 1030.

S 82 ESTATE AMOUNT CHANGES
(Ratified Ch.0262) ..... 622, 1043, 1094, 1141.

S 506 HEALTH LAW CHANGES
(Ratified Ch.0123) ..... 772, 926, 957, 960.

S 651 IDENTIFY DEAD BODIES
(Ratified Ch.0312) ..... 774, 1159, 1189, 1204.

H 942 MARK BODIES FOR BURIAL
(Business & Labor) ..... 493.

S 821 PRENEED FUNERAL FUNDS DEFINITION
(Insurance) ..... 873.

-G-

GAMBLE, JOHN R., JR.

BILLS INTRODUCED - *34, 80, *94, *95, 105, 122, 123, *129, 138, 139, 144, 161, *162, *171, 179, 236, 244, 245, *246, 252, *348, *371, 435, 475, *486, *495, 501, 502, *529, 538, 540, 548, 556, 592, *629, 634, 729, 730, 731, 741, 760, 771, 772, 773, 782, *790, 795, 796, 815, 820, *966, *980, 989, 1057, 1064.

COMMITTEE ASSIGNMENTS - Ethics, Ranking Minority Member; Finance; Financial Institutions; Health and Environment.

EXCUSED ABSENCES ..... 97, 190, 901, 936.

EXCUSED VOTE: S.B. 1086 ..... 1093.

OATH ..... 12.

POINT OF ORDER REGARDING CONFIRMATION PROCESS ..... 1492.

GARDNER, CHARLOTTE A.

BILLS INTRODUCED - 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18, 24, 33, 44, 90, 96, 97, 98, 99, 100, 101, 103, 107, 109, 111, 127, 130, 144, *160, 161, *164, *168, 170, 176, 200, 202, 207, 220, 236, 252, 269, 270, 271, 272, 273, 274, 282, 283, 298, 311, 326, 331, *336, *350, *351, *358, 362, 365, 371, 397, 418, 419, 429, 430, 431, 432, 443, 445, *448, 449, 458, 463, 479, 481, 489, 501, 502, 503, *577, *578, 588, 597, 624, 729, 730, 731, 738, 766, 773, 781, 786, 791, *814, 820, 834, 852, 861, 872, 884, 905, 956, 972, 978, *979, 1024, 1025, 1041, 1057.

COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Human Resources, Co-Chair; Health and Environment; Judiciary II; Local and Regional Government II; Welfare Reform and Human Resources - Subcommittee on Aging.

GARDNER, CHARLOTTE A.-Contd.
CONFEREE: H.B. 229, H.B. 230
EXCUSED ABSENCES ..... 1448, 1463, 1476, 1493.
OATH ..... 12.
SECONDS ADJOURMENT ..... 866, 1336.

GASOLINE AND OIL INSPECTION AND REGULATION (G.S. 119)
S 200 AMEND REPROCESSED OIL REGULATION
(Ratified Ch.0516) (H 116) ..... 168, 969, 1256, 1326, 1400, 1556, 1567, 1576, 1577, 1605.
S 1084 AMEND REPROCESSED OIL REGULATION
(Rules, Calendar & Operations of the House) ..... 866.
H 852 MOTOR FUEL/USE TAX CHANGE
(Senate) ..... 476, 900, 912, 919, 930.
H 116 PENALTIES/VIOLATIONS OF AGRICULTURE LAWS (Judiciary I) (S 200) ..... 76, 530.

GASTON COUNTY
H 330 CODE PROCESS
(Ratified Ch.0320) ..... 174, 312, 362, 399, 549, 567, 574, 589, 594, 595, 1157, 1172, 1199, 1204.
H 537 COMMUNITY COLLEGE/SCHOOL FACILITIES
(Ratified Ch.0399) ..... 315, 544, 1104, 1174, 1191, 1309, 1347,1368, 1381.
S 269 DALLAS PROPERTY MAINTENANCE
(Finance) ..... 318, 893, 906.
H 546 DIRECT RECORD VOTING
(Ratified Ch.0197) ... 328, 517, 537, 1014, 1029, 1041.
H 505 GASTON CITY AND TOWN ASSESSMENTS
(Ratified Ch.0341) ..... 279, 354, 618, 661, 688, 1266.
H 536 GASTON ROOM TAX USE
(Ratified Ch.0172) ..... 315, 517, 791, 816, 1008.
H 495 INJURY TO LAW ENFORCEMENT ANIMAL
(Senate) ..... 277, 516, 662, 734, 780, 815, 853.

GATES COUNTY
H 173 GATES COUNTY SAFETY ZONE
(Ratified Ch.0164) ..... 101, 809, 853, 1008.

GENERAL ASSEMBLY (G.S. 120)
H 229 1995 CONTINUATION BUDGET
(Ratified Ch.0324) ..... 135, 618, 666, 670, 678, 913, 918, 941, 947, 1214, 1220, 1221, 1231, 1238.

GENERAL ASSEMBLY (G.S. 120)-Contd.

H 230 1995 EXPANSION/CAPITAL BUDGET
(Ratified Ch.0507) ..... 136, 1297, 1311, 1315, 1338, 1447, 1454, 1464, 1573, 1574, 1575, 1592.

H 376 1995 RETIREMENT BENEFITS ACT
(Appropriations) (Included Ch.0324) ..... 202, 697.

H 898 1995 STUDIES
(Ratified Ch.0542) ..... 485, 1557, 1580, 1596, 1598, 1599, 1619.

H 630 ADD TRUSTEES/UNIVERSITY SYSTEM
(Approp - Education) ..... 370, 670, 719, 802, 823.

H 99 AGING COMMISSION SUBCOMMITTEE/ LONG-TERM CARE CHANGES
(Welfare Reform & Human Resources - Aging)
(S 126) ..... 70, 79.

S 126 AGING COMMISSION SUBCOMMITTEE/ LONG-TERM CARE CHANGES
(Rules, Calendar & Operations of the House)
(H 99) ..... 846.

S 695 AGRICULTURE WASTE COMMISSION
(Appropriations) (Included Ch.0542) ..... 566, 1430.

S 874 ALLOCATE ROANOKE WATER/ENVIRONMENTAL TECHNICAL CORRECTIONS
(Ratified Ch.0504) (H 934) 813, 1503, 1532, 1538, 1565.

H 720 AMEND STRUCTURED SENTENCING
(Judiciary II) ..... 386, 653.

S 606 CENTENNIAL AUTHORITY
(Ratified Ch.0458) ..... 705, 1205, 1351, 1362, 1388, 1404, 1423, 1476.

H 174 CONFIRMATION OF EXECUTIVE APPOINTMENTS
(Senate) ..... 104, 332, 369, 428, 445, 718, 755.

H 486 CONFLICTS OF INTEREST
(Rules, Calendar & Operations of the House) ..... 266.

H 975 DIESEL FUEL PAYMENT METHOD
(Finance) (Included Ch.0542) ..... 500.

H 42 EDUCATION IMPROVEMENT ACT
(Approp - Education)
(Included Ch.0542) ..... 55, 508, 1073.

H 25 ELECTION LAWS REVIEW
(Judiciary II) ..... 49.

S 755 EMPLOYEE BENEFITS COMMITTEE
(Ratified Ch.0229) ..... 644, 991, 1021, 1102.

GENERAL ASSEMBLY (G.S. 120)-Contd.

H 934 ENVIRONMENTAL CLARIFYING/CONFORMING/ TECHNICAL CORRECTIONS (Senate) (S 874) ..... 492, 762, 840, 842, 861.

H 240 EXTEND SENTENCING COMMISSION (Rules, Calendar & Operations of the House) (S 186) ..... 142.

S 186 EXTEND SENTENCING COMMISSION (Ratified Ch.0236) (H 240) .... 549, 1042, 1094, 1103.

H 16 FOOD STAMP ELECTRONIC BENEFITS TRANSFER (Senate) (Included Ch.0507) ..... 48, 103, 125.

H 93 FUND-RAISING IN SESSION (Judiciary II) ..... 69.

H 288 HEALTH REFORM INITIATIVES/HEALTH PLANNING COMMISSION (Calendar Pursuant 36(a)) ..... 155, 880.

H 222 JOINT LEGISLATIVE UTILITY COMMITTEE (Ratified Ch.0440) ..... 129, 713, 776, 1105, 1416, 1441, 1449.

H 938 LEGISLATIVE COMPENSATION (Appropriations) ..... 493, 986.

H 371 LEGISLATIVE COMPENSATION REDUCED (Pensions & Retirement) ..... 201, 602.

S 575 LEGISLATIVE ETHICS COMMITTEE COCHAIRS (Ratified Ch.0180) ..... 533, 988, 1014, 1024.

H 559 LEGISLATIVE RETIREMENT OPTION (Pensions & Retirement) ..... 331, 603.

H 809 LOCAL OPTION LOTTERY FOR LOCAL NEEDS (Finance) ..... 459.

S 528 MEDIATED SETTLEMENT CONFERENCES (Ratified Ch.0500) ..... 1403, 1464, 1494, 1528, 1541, 1546, 1555.

H 82 MORE ADMINISTER OATHS (Ratified Ch.0147) ..... 65, 121, 139, 994.

H 895 NOTICE OF MANDATES (Ratified Ch.0415) ..... 484, 714, 842, 1378, 1387, 1391, 1396.

H 846 PRECINCTS NOT DIVIDED (Ratified Ch.0355) ..... 474, 631, 655, 722, 1237, 1278, 1284.

S 691 PRESIDENT PRO TEMPORE'S APPOINTMENTS (Ratified Ch.0492) ..... 848, 1397, 1509, 1511, 1555.

S 901 PRESIDENT PRO TEMPORE'S APPOINTMENTS (Ratified Ch.0490) ..... 865, 1416, 1510, 1554.

GENERAL ASSEMBLY (G.S. 120)-Contd.

H 304 PROCUREMENT COUNCIL
(Senate) ..... 158, 238, 260.

H 5 PUBLIC ASSISTANCE RESPONSIBILITY
(Senate) ..... 44, 559, 909, 920, 932, 978, 1060, 1152, 1254.

H 443 REAL ESTATE APPRAISERS/TRAINEE
(Ratified Ch.0482) ..... 229, 327, 1042, 1157, 1285, 1328, 1349, 1518, 1526, 1535.

H 1055 RECOGNIZING WOMEN IN STATE LEGISLATURES
(Senate) (S 1095) ..... 769, 988, 1125.

S 1095 RECOGNIZING WOMEN IN STATE LEGISLATURES
(Rules, Calendar & Operations of the House)
(H 1055) ..... 1147.

H 1010 RESPIRATORY CARE PRACTICE ACT
(Health & Environment) ..... 677.

H 732 RESTRICT LEGISLATIVE RETIREMENT
(Pensions & Retirement) ..... 394.

H 442 RETIREMENT/FEDERAL COMPLIANCE
(Senate) (S 341) ..... 228, 504, 858.

S 341 RETIREMENT/FEDERAL COMPLIANCE
(Ratified Ch.0361) (H 442) .... 771, 1134, 1299, 1307.

H 192 RULES REVIEW COMMISSION CHANGES/ LEGISLATIVE OVERSIGHT
(Senate) (Included Ch.0507) ..... 116, 576, 667.

H 688 SELECT COMMITTEE ON CERTIFICATES OF NEED
(Adopted) ..... 381, 603, 952, 964.

S 828 SENATE PRESIDENT'S APPOINTMENTS
(Ratified Ch.0493) ..... 849, 1137, 1220, 1257, 1510, 1555.

H 435 SHERIFFS' COMMISSION CHANGES
(Judiciary II) (S 362) ..... 227.

S 362 SHERIFFS' COMMISSION CHANGES
(Ratified Ch.0103) (H 435) ..... 811, 923, 932, 936.

H 475 SMALL BUSINESS CAPITAL AND GROWTH ACT
(Finance) ..... 256, 328, 917, 928.

H 963 SMALL BUSINESS SURETY BONDS
(Finance) ..... 497.

H 106 SPEAKER AND PRO TEMPORE TERMS LIMIT
(Senate) ..... 73, 713, 752, 753, 780.

H 897 SPEAKER'S APPOINTMENTS
(Ratified Ch.0488) ... 484, 790, 835, 1533, 1537, 1554.

H 1054 STATE FIRE AND RESCUE COMMISSION
(Appropriations) ..... 742, 1080, 1205.

GENERAL ASSEMBLY (G.S. 120)-Contd.
H 960 STATE LOTTERY REFERENDUM-1995
(Finance) ..... 497.
H 194 SUBJECT MATTER RULE NOTICE
(Judiciary I) ..... 116.
H 129 TAXPAYER BILL OF RIGHTS
(Finance) ..... 81.
H 3 TAXPAYER PROTECTION ACT
(Senate) (Included Ch.0542) ..... 43, 165, 175, 185, 1497, 1514, 1548.
H 421 TRANSFER PORTS AUTHORITY
(Transportation) ..... 224, 604.
H 37 VETO CONFORMING CHANGES
(Judiciary I) ..... 54.
H 44 VETO CONFORMING CHANGES
(Judiciary I) (S 54) ..... 55.
S 54 VETO CONFORMING CHANGES
(Ratified Ch.0020) (H 44) .... 243, 311, 348, 389, 403.
H 36 VETO/CONFIRMATION
(Judiciary I) ..... 54.

GENERAL STATUTES OF N. C., CONCERNING THE (G.S. 164)
S 590 1995 TECHNICAL CORRECTIONS
(Ratified Ch.0509) ..... 773, 1158, 1256, 1397, 1503, 1532, 1547, 1604.
H 240 EXTEND SENTENCING COMMISSION
(Rules, Calendar & Operations of the House)
(S 186) ..... 142.
S 186 EXTEND SENTENCING COMMISSION
(Ratified Ch.0236) (H 240) .... 549, 1042, 1094, 1103.

GLOBAL TRANSPARK AUTHORITY, N.C. (G.S. 63A)
S 120 MAKE BOND TAXATION UNIFORM
(Ratified Ch.0046) ..... 250, 285, 538, 552, 562.
H 862 NO PREFERENCES GRANTED
(Judiciary I) ..... 477.

GRADY, ROBERT
BILLS INTRODUCED - 3, 4, 6, 11, 12, 13, 14, 15, 38, 44, 67, 86, 87, 125, 127, *130, 142, 161, 191, 200, 201, 202, 203, 213, 220, 223, 236, 241, 242, *252, *253, 284, 318, 349, 365, 368, 396, 397, 407, 424, 463, 474, 500, 501, 531, 571, 597, *630, *738, *739, *740, *763, *764, 765, 770, 771, 773, 808, 815, 820, 836, 852, 858, 946, 947, 948, *972, *978, 1002, 1034, 1035, 1038, 1041, 1045.

GRADY, ROBERT-Contd.
COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Education, Co-Chair; Education - Subcommittee on Community Colleges and Universities; Ethics; Pensions and Retirement.
CONFEREE: H.B. 229, H.B. 230, S.B. 6, S.B. 57, S.B. 58
DELEGATION MEMBER TO ATTEND
REPRESENTATIVE MACON SNOWDEN'S FUNERAL . . . 652.
ESCORT FOR JONATHAN ROBINSON . . . . . 883.
ESCORT FOR UNC WOMEN'S BASKETBALL TEAM . . . . . 575.
EXCUSED ABSENCE . . . . . 275.
OATH . . . . . 12.

GRAHAM COUNTY
S 133 GRAHAM/MACON/POLK AMBULANCE SERVICE
(Ratified Ch.0009) . . . . . 137, 197, 234, 237.
H 160 LOCAL DRUG-FREE HOUSING
(Senate) . . . . . 89, 406, 443, 453, 613, 663.

GRANVILLE COUNTY
H 592 GRANVILLE HUNTING CHANGES
(Ratified Ch.0152) . . . . . 343, 421, 442, 964, 976, 995.

GRAY, LYONS
BILLS INTRODUCED - 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 44, 65, 72, 130, 142, 159, 161, 191, 192, 200, 202, 210, 220, *223, *224, 235, 236, 242, *284, 317, 330, *389, 435, 479, 481, 489, 500, 501, *516, 522, 551, 597, *718, 738, *759, 774, 852, 924, 1050.
COMMITTEE ASSIGNMENTS - Ethics; Finance, Co-Chair and Senior Ranking Member; Financial Institutions; State Government - Subcommittee on Boards and Commissions.
CONFEREE: H.B. 6, H.B. 718, S.B. 57, S.B. 200
DELEGATION MEMBER TO ATTEND
REPRESENTATIVE MACON SNOWDEN'S FUNERAL . . . 652.
EXCUSED ABSENCES . . . . . 160, 1234, 1343, 1521, 1564, 1599.
OATH . . . . . 12.

GREENE COUNTY
H 537 COMMUNITY COLLEGE/SCHOOL FACILITIES
(Ratified Ch.0399) . . . . . 315, 544, 1104, 1174, 1191, 1309, 1347, 1368, 1381.
H 208 COUNTY SCHOOL ACQUISITION
(Ratified Ch.0251) . . . . . 124, 210, 313, 345, 363, 400, 1033, 1038, 1039, 1045, 1050, 1088, 1108, 1129, 1139.

GREENE COUNTY-Contd.
H 510 GREENE SCHOOL ACQUISITION
(Local & Regional Government I) ..... 286.

GUARDIANSHIP AND INCOMPETENCY (G.S. 35A)
H 566 AMEND POWERS OF FIDUCIARIES
(Ratified Ch.0235) ..... 338, 673, 797, 1103.
H 79 CONCEALED HANDGUN PERMIT
(Judiciary I) ..... 63, 391.
H 822 FAMILIES WITH DISABILITIES SUPPORT ACT
(Welfare Reform & Human Resources) ..... 462.
H 869 STANDBY GUARDIANSHIP ACT
(Judiciary II) (S 682) ..... 479, 577.
S 682 STANDBY GUARDIANSHIP ACT
(Ratified Ch.0313) (H 869) ..... 774, 902, 1154, 1204.

GUESTS
DELEGATION FROM RUSSIA ..... 389.
FAMILY OF THE LATE
REPRESENTATIVE MACON SNOWDEN ..... 766.
GEORGIA STATE SENATOR DON BALFOUR ..... 1184.
HEATHER WHITESTONE,
MISS AMERICA 1995 ..... 553.
UNC WOMEN'S BASKETBALL TEAM ..... 575.
VERNESTINE KENT TAYLOR,
NORTH CAROLINA TEACHER OF THE YEAR ..... 1360.

GUILFORD COUNTY
S 529 ALAMANCE COURTHOUSE/GUILFORD CONTRACT
(Local & Regional Government II) ..... 678.
S 663 AMEND VARIOUS LOCAL LAWS
(Ratified Ch.0432) ..... 593, 1217, 1274, 1291, 1348, 1361, 1388, 1433.
H 546 DIRECT RECORD VOTING
(Ratified Ch.0197) ... 328, 517, 537, 1014, 1029, 1041.
H 526 GREENSBORO BID LIMITS INCREASED
(Ratified Ch.0218) ..... 298, 516, 669, 690, 1069.
H 211 GREENSBORO CODE PROCESS SERVICE
(Ratified Ch.0035) ..... 124, 253, 292, 466, 501, 510.
H 698 GREENSBORO DAILY DEPOSITS
(Ratified Ch.0079) ..... 382, 620, 648, 844.
H 493 GREENSBORO PROPERTY VOTE
(Ratified Ch.0056) ..... 268, 420, 442, 635.

GUILFORD COUNTY-Contd.

H 212 GREENSBORO SEWAGE FACILITY CONTRACT (Ratified Ch.0054) ..... 124, 313, 365, 400, 634.

H 674 GUILFORD COMMISSIONERS (Senate) ..... 378, 728, 748, 775, 783, 814.

H 640 GUILFORD COUNTY SCHOOL PURCHASES (Senate) ..... 372, 573, 609.

H 710 HIGH POINT ELECTIONS (Senate) ..... 384, 728, 748, 778.

H 495 INJURY TO LAW ENFORCEMENT ANIMAL (Senate) ..... 277, 516, 662, 734, 780, 815, 853.

H 578 LOCAL GEOGRAPHICAL INFORMATION SYSTEM RECORDS EXEMPTION (Ratified Ch.0151) ..... 340, 618, 663, 963, 976, 995.

S 681 MODIFY GREENSBORO ROOM TAX USE (Ratified Ch.0380) ..... 847, 985, 1288, 1348, 1357.

H 639 PIEDMONT TRIAD AIRPORT PARKING (Ratified Ch.0335) ..... 372, 599, 734, 779, 1247.

H 576 SUMMERFIELD INCORPORATED (Ratified Ch.0426) ..... 340, 432, 727, 987, 1016, 1029, 1415.

H 706 VARIOUS OCCUPANCY TAX CHANGES (Ratified Ch.0540) ..... 384, 1483, 1539, 1551, 1610, 1619.

GUN CONTROL - see WEAPONS

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HACKNEY, JOE

BILLS INTRODUCED - *226, *269, *270, *271, *272, *273, *274, 283, *308, *353, 474, 500, 501, 503, 523, 554, 657, *682, 718, 725, 771, 860, *884, *997.

COMMITTEE ASSIGNMENTS - Business and Labor - Subcommittee on Economic Expansion and Growth; Finance; Health and Environment; Judiciary II.

CONFEREE: H.B. 353 (Chair), S.B. 724.

ESCORT FOR CHIEF JUSTICE ..... 284.

ESCORT FOR UNC WOMEN'S BASKETBALL TEAM ..... 575.

EXCUSED ABSENCES ..... 126, 135.

EXCUSED VOTE: H.B. 113 ..... 120.

EXCUSED VOTE: S.B. 908 ..... 1516.

OATH ..... 12.

SECONDS ADJOURNMENT ..... 959.

HALIFAX COUNTY
H 208 COUNTY SCHOOL ACQUISITION
(Ratified Ch.0251) ..... 124, 210, 313, 345, 363, 400, 1033, 1038, 1039, 1045, 1050, 1088, 1108, 1129, 1139.
H 115 HALIFAX ALCOHOLIC BEVERAGE CONTROL BOARD MODIFICATIONS
(Ratified Ch.0045) ..... 76, 170, 194, 466, 501, 504, 511, 539, 542.
H 663 HALIFAX FOX HUNTING
(Ratified Ch.0279) ..... 376, 619, 647, 1166.
H 661 HALIFAX SCHOOL BOARD VACANCIES
(Senate) ..... 376, 619, 647, 1250, 1276, 1280, 1334.
H 145 ROANOKE RAPIDS CHARTER REVISION
(Ratified Ch.0034) ... 86, 141, 163, 274, 291, 300, 510.

HANDICAPPED PERSONS (G.S. 168)
H 336 ASSISTANCE DOG LAW CHANGE
(Ratified Ch.0276) ..... 175, 198, 235, 1165.
H 350 INTERPRETERS DEAF COMPENSATION CHANGE
(Ratified Ch.0277) ..... 192, 697, 798, 1165.
S 519 PURCHASES FROM BLIND/DISABLED
(Ratified Ch.0265) .. 871, 904, 1013, 1052, 1095, 1141.

HANDICAPPED PERSONS PROTECTION ACT (G.S. 168A)
S 502 ASSISTED LIVING REQUIREMENT
(Ratified Ch.0535) ..... 871, 1260, 1533, 1536, 1586, 1618.
H 742 CONSTRUCTION BIDDING AND PROCEDURES
(Business & Labor) ..... 396.

HARNETT COUNTY
H 726 HARNETT LOCAL ACT
(Rules, Calendar & Operations of the House) ..... 388.
H 727 HARNETT LOCAL ACT
(Rules, Calendar & Operations of the House) ..... 388.
H 728 HARNETT LOCAL ACT
(Rules, Calendar & Operations of the House) ..... 388.
H 553 HARNETT/CHANGE ANIMAL CONTROL LAW
(Ratified Ch.0058) ..... 330, 518, 525, 635.
S 104 REVENUE LAWS TECHNICAL CHANGES
(Ratified Ch.0017) ..... 159, 248, 270, 281, 324.

HAYES, ROBERT C.
APPROVAL OF VOTE CHANGE ON S.B. 16 ..... 120.
BILLS INTRODUCED - 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 38, 41, 44, 125, 127, 130, 142, 170, 175, 191, 192, 200, 201, 202, 203, 210, 220, 264, 315, 326, 349, 365, 407, 443, 450, 477, 479, 481, 531, 540, 571, 573, 585, 597, 617, 624, 634, *635, 721, 722, 729, 730, 731, 733, 735, 741, 748, 765, 770, 776, 781, 784, 785, 801, 808, 811, 820, 825, 826, *831, *832, *833, *834, 836, 845, 852, 858, 860, 870, 878, 921, 938, 939, *970, *971, 988, 1050, *1068.
COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Human Resources, Co-Chair; Health and Environment; Ways and Means; Welfare Reform and Human Resources - Subcommittee on Families.
CONFEREE: H.B. 229, H.B. 230
DELEGATION MEMBER TO ATTEND REPRESENTATIVE MACON SNOWDEN'S FUNERAL ... 652.
ESCORT FOR CYNTHIA BAILEY WATSON ..... 97.
MAJORITY WHIP ..... 37.
OATH ..... 12.
OFFERS PRAYER ..... 68, 1521.
RECALL OF S.B. 423 FROM ENROLLING ..... 1335.

HAYWOOD COUNTY
H 160 LOCAL DRUG-FREE HOUSING (Senate) ..... 89, 406, 443, 453, 613, 663.
S 104 REVENUE LAWS TECHNICAL CHANGES (Ratified Ch.0017) ..... 159, 248, 270, 281, 324.
H 706 VARIOUS OCCUPANCY TAX CHANGES (Ratified Ch.0540) ..... 384, 1483, 1539, 1551, 1610, 1619.
H 520 WAYNESVILLE CHARTER REVISED (Ratified Ch.0126) ..... 297, 420, 504, 512, 524, 961.

HAZARDOUS WASTE
H 229 1995 CONTINUATION BUDGET (Ratified Ch.0324) ..... 135, 618, 666, 670, 678, 913, 918, 941, 947, 1214, 1220, 1221, 1231, 1238.
S 135 CERTAIN REVERSIONS (Ratified Ch.0430) ..... 1356, 1358, 1392, 1407, 1433.
H 228 CONTINUE EXPIRING PROVISIONS (Ratified Ch.0358) ..... 130, 1275, 1289, 1296.
H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS (Appropriations) ..... 212.

HAZARDOUS WASTE-Contd.

H 708 MONITOR COMPLIANCE DATA ELECTRONICALLY (Ratified Ch.0327) ..... 384, 558, 586, 608, 1184, 1222, 1239.

H 893 REVISE ENVIRONMENTAL PERMIT APPEALS (Senate) ..... 483, 762, 827.

HAZARDOUS WASTE MANAGEMENT COMMISSION (G.S. 130B)

H 1049 ENVIRONMENTAL PROTECTION IMPROVEMENTS (Health & Environment) ..... 740.

H 191 REQUIRE FISCAL NOTE/SUBJECT MATTER NOTICE (Appropriations) ..... 115, 209.

HEALTH CARE FACILITIES AND SERVICES (G.S.131E)

H 376 1995 RETIREMENT BENEFITS ACT (Appropriations) (Included Ch.0324) ..... 202, 697.

S 590 1995 TECHNICAL CORRECTIONS (Ratified Ch.0509) ..... 773, 1158, 1256, 1397, 1503, 1532, 1547, 1604.

H 745 AGING COMMISSION TO STUDY DOMICILIARY HOME/NURSING HOME PENALTIES (Rules, Calendar & Operations of the House) (Included Ch.0542) ..... 397, 809, 890.

H 447 AMBULANCE PROVIDER LICENSE (Ratified Ch.0413) ..... 230, 328, 639, 767, 828, 1378, 1386, 1396.

S 399 AMEND DEFINITION OF PODIATRY (Ratified Ch.0248) (H 489) ..... 467, 900, 1061, 1091, 1116.

S 502 ASSISTED LIVING REQUIREMENT (Ratified Ch.0535) ..... 871, 1260, 1533, 1536, 1586, 1618.

H 807 CAREGIVER CRIMINAL CHECKS (Ratified Ch.0453) ..... 458, 658, 1066, 1091, 1110, 1421, 1440, 1459, 1468.

S 751 COUNSELOR TREATMENT COVERED (Ratified Ch.0406) ..... 661, 1245, 1323, 1333, 1382.

S 864 DOMICILIARY CARE HOME REQUIREMENTS/ RULES (Ratified Ch.0449) ..... 849, 909, 1100, 1119, 1287, 1408, 1410, 1467.

H 332 DOMICILIARY/NURSING HOME PENALTY LAW (Senate) ..... 174, 457, 637, 690, 691.

HEALTH CARE FACILITIES AND SERVICES (G.S.131E)-Contd.

H 288 HEALTH REFORM INITIATIVES/HEALTH PLANNING COMMISSION (Calendar Pursuant 36(a)) ..... 155, 880.

S 1021 HOME HEALTH AREA CLARIFIED (Ratified Ch.0359) ..... 851, 1218, 1279, 1288, 1307.

S 886 HOSPITAL COOPERATION ACT AMENDED (Ratified Ch.0205) ..... 865, 950, 981, 1001, 1057.

H 451 HOSPITAL PENALTY EXPANDED (Welfare Reform & Human Resources - Aging) ..... 231, 457.

S 345 INSURANCE OMNIBUS CHANGES (Ratified Ch.0517) ..... 871, 1067, 1111, 1159, 1251, 1341, 1430, 1469, 1474, 1491, 1545, 1548, 1556, 1605.

S 525 MEDICAL CARE SAVINGS PLAN (Ratified Ch.0418) . 864, 1121, 1232, 1284, 1367, 1396

H 958 MENTAL HEALTH COVERAGE (Ratified Ch.0157) ..... 496, 733, 825, 996.

H 823 MENTAL HEALTH PARITY (Insurance) ..... 462.

H 759 NONPROFIT HOME SALES TAX REFUND (Ratified Ch.0472) ..... 423, 614, 756, 1531.

S 478 NURSING HOME REQUIREMENTS (Ratified Ch.0396) ..... 607, 1260, 1375, 1381.

S 780 NURSING HOMES REQUIREMENT (Rules, Calendar & Operations of the House) ..... 774.

S 1014 NURSING/REST HOME EMPLOYMENT CHECK (Finance) ..... 1089, 1168.

S 334 OMBUDSMAN/REST HOME COMMITTEE (Ratified Ch.0254) ..... 771, 909, 1100, 1104, 1132, 1140.

H 50 OPTOMETRY CHANGES (Calendar Pursuant Rule 36(a)) (S 573) ... 56, 189, 576.

S 573 OPTOMETRY CHANGES (Calendar Pursuant Rule 36(a)) (H 50) ..... 550, 1026.

S 855 PUBLIC HOSPITALS MANAGED CARE (Rules, Calendar & Operations of the House) ..... 849, 1187.

S 771 PUBLIC HOSPITALS/INDEPENDENT CONTRACTORS (Ratified Ch.0099) 812, 902, 913, 915.

S 890 REDEFINE CARDIAC REHABILITATION PROGRAM (Ratified Ch.0182) ..... 813, 991, 1017, 1024.

HEALTH CARE FACILITIES AND SERVICES (G.S.131E)-Contd.
H 756 REST HOME CHANGES
(Ratified Ch.0280) ..... 423, 457, 637, 823, 1166.
H 688 SELECT COMMITTEE ON CERTIFICATES OF NEED
(Adopted) ..... 381, 603, 952, 964.

HEALTH CARE FACILITIES FINANCE ACT (G.S. 131A)
S 120 MAKE BOND TAXATION UNIFORM
(Ratified Ch.0046) ..... 250, 285, 538, 552, 562.

HENDERSON COUNTY
H 206 FLAT ROCK INCORPORATED
(Ratified Ch.0048) ..... 123, 246, 285, 300, 319, 576.
S 636 HENDERSON ALCOHOLIC BEVERAGE CONTROL
PROFITS (Ratified Ch.0105) ..... 593, 924, 930, 937.
S 639 HENDERSONVILLE BICYCLES
(Ratified Ch.0106) ..... 593, 924, 930, 937.
S 637 HENDERSONVILLE RETIREMENT FUND
(Ratified Ch.0343) ..... 864, 1212, 1234, 1273, 1282.

HENSLEY, ROBERT J., JR.
BILLS INTRODUCED - 19, 20, 28, 31, 34, 112, 113, 129, 144, *147, *148, *149, 161, 191, 192, 223, 231, 232, 236, *249, *250, *251, 252, *253, *254, *255, *266, 267, 268, 367, 397, 404, 424, *425, *426, 435, 474, 475, 540, 555, 580, 592, *760, *761, *762, 771, 772, 786, 791, 799, 815, 852, 860, 876, 895, 896, *901, *902, 944, 972, 1004, 1012.
COMMITTEE ASSIGNMENTS - Education - Subcommittee on Preschool, Elementary and Secondary Education; Finance, Insurance; Judiciary II.
ESCORT FOR CHIEF JUSTICE ..... 284.
EXCUSED ABSENCE ..... 868.
OATH ..... 12.

HERTFORD COUNTY
H 581 HERTFORD COUNTY LOCAL ACT
(Local & Regional Government I) ..... 340.

HIATT, WILLIAM S.
BILLS INTRODUCED - 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 38, 44, 65, 86, 87, 125, 127, 130, 142, 170, 191, 200, 202, 220, 223, 236, *313, *314, 315, 326, 365, 388, 424, 443, 453, 463, 467, 468, 474, 475, 479, 481, 488, 497, *501, 531, 540, 569, 597,

HIATT, WILLIAM S.-Contd.
624, 733, 735, 743, 744, 745, 773, 794, 811, 820, 834, *837, 899, 917, 935, 949, *967, 995, 1000, 1019, 1038, 1041, 1050.
COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Education; Business and Labor, Vice Chair; Business and Labor - Subcommittee on Travel and Tourism, Chair; Education - Subcommittee on Preschool, Elementary and Secondary Education; Public Employees.
EXCUSED ABSENCE ..... 993.
OATH ..... 12.

HIGHER EDUCATION (G.S. 116) - also see COMMUNITY COLLEGES; EDUCATION
S 590 1995 TECHNICAL CORRECTIONS (Ratified Ch.0509) ..... 773, 1158, 1256, 1397, 1503, 1532, 1547, 1604.
H 630 ADD TRUSTEES/UNIVERSITY SYSTEM (Approp - Education) ..... 370, 670, 719, 802, 823.
H 881 ALTERNATIVE TEACHER CERTIFICATION (Senate) ..... 481, 563, 609, 694, 711.
S 56 ANTIQUATED LAWS REPEALED (Ratified Ch.0379) ..... 268, 393, 888, 898, 917, 1335, 1345, 1346, 1357.
H 494 ASSAULT LAW OFFICER WITH GUN (Senate) ..... 268, 392, 683, 797.
H 496 ASSAULT ON SCHOOL BUS DRIVER (Ratified Ch.0352) ... 277, 636, 756, 1237, 1278, 1283.
H 174 CONFIRMATION OF EXECUTIVE APPOINTMENTS (Senate) ..... 104, 332, 369, 428, 445, 718, 755.
H 803 EAST CAROLINA UNIVERSITY MEDICAL SCHOOL RECEIPTS (Approp - Education) (Included Ch.0507) ..... 458.
H 42 EDUCATION IMPROVEMENT ACT (Approp - Education) (Included Ch.0542) ..... 55, 508, 1073.
H 943 EX-GOVERNOR/EMERITUS/BOARD OF GOVERNORS (Senate) ..... 494, 605, 651, 666.
H 889 FINANCIAL AID/REGISTERED VOTER ONLY (State Government) ..... 483.
H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS (Appropriations) ..... 212.
H 457 RECOGNIZE AMERICAN SIGN LANGUAGE (Senate) ..... 232, 418, 1082, 1505, 1530.

HIGHER EDUCATION (G.S. 116)-Contd.

H 673 RESTRUCTURE STATE GOVERNMENT BOARDS AND COMMISSIONS (Senate) ..... 378, 714, 776, 819, 820.

H 739 SIMPLIFY HIGHER EDUCATION CREDIT TRANSFER (Ratified Ch.0287) ..... 396, 469, 544, 584, 1123, 1149, 1166.

H 216 STUDY/MINORITY TEACHERS (Education) ..... 127.

H 894 TRANSFER CHINQUA-PENN (State Government) ..... 484.

H 941 TRANSPORTATION/WIRELESS AMENDMENTS/FEE (Ratified Ch.0523) ... 493, 1256, 1305, 1329, 1350, 1588, 1600, 1617.

S 452 UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS MEMBER LIMIT (Education - Community Colleges & Universities) ..... 846, 951.

H 808 UNIVERSITY OF NORTH CAROLINA/NORTH CAROLINA STATE/EAST CAROLINA UNIVERSITY FOOTBALL (Education) ..... 459.

H 242 UNIVERSITY OF NORTH CAROLINA/UNIFORM REVERSION RATE (Appropriations) (Included Ch.0507) ..... 142.

HIGHER EDUCATIONAL FACILITIES FINANCE ACT (G.S. 115E)

S 120 MAKE BOND TAXATION UNIFORM (Ratified Ch.0046) ..... 250, 285, 538, 552, 562.

HIGHTOWER, FOYLE R., JR.

APPROVAL OF VOTE CHANGE ON H.B. 230 ..... 1315.

APPROVAL OF VOTE CHANGE ON H.B. 265 ..... 820.

APPROVAL OF VOTE CHANGE ON H.B. 829 ..... 835.

APPROVAL OF VOTE CHANGE ON S.B. 362 ..... 932.

BILLS INTRODUCED - *88, *89, 105, 139, 161, 165, 170, 179, 191, 192, *343, *346, 367, 435, 467, 468, 474, 475, 481, 501, 502, 523, 538, 540, 580, *584, 634, 771, 775, 795, 895, 913, 989, 1004, *1009, 1017, 1041, 1057.

COMMITTEE ASSIGNMENTS - Agriculture; Education - Subcommittee on Preschool, Elementary and Secondary Education, Finance; State Government - Subcommittee on Boards and Commissions, Ranking Minority Member.

CONFEREE: S.B. 737

EXCUSED ABSENCES ..... 236, 351, 368, 1337, 1379, 1395, 1415, 1504.

HIGHTOWER, FOYLE R., JR. -Contd.
EXCUSED VOTE: H.B. 1001 ..... 1321.
EXCUSED VOTE: S.B. 1086 ..... 1093.
OATH ..... 12.
SECONDS ADJOURNMENT ..... 1475.

HILL, DEWEY L.
APPOINTED TO SELECT COMMITTEE ON TORT REFORM ..... 308.
BILLS INTRODUCED - 3, 4, 6, 11, 15, 16, 19, 24, 35, 50, 51, 53, 54, 55, 56, 57, *63, 81, 84, 86, 87, 88, 89, 90, 104, 105, 113, 127, 130, *131, *132, *133, 142, 143, 148, 150, 151, 152, 153, 159, 161, 165, *169, 170, 172, 179, 191, 192, 198, 223, 224, 225, 236, 247, 252, 253, 282, 283, 296, 297, 298, 315, 320, 321, 322, 323, 324, 331, 336, 344, 345, *347, 365, 384, 387, 388, 389, 391, 392, 396, 397, 427, 435, 443, *462, 467, 468, 474, 475, 479, 481, 500, 502, 503, 512, 525, 531, 540, 547, 548, 592, 597, 600, 624, 634, 635, 645, 650, 684, 699, 700, 729, 730, 731, 736, 738, 760, 774, 791, 795, 796, 797, 818, 820, 833, 834, 835, 852, 871, 895, 913, 987, 995, 1001, 1019, 1029, 1041, 1050, 1057.
COMMITTEE ASSIGNMENTS - Agriculture, Ranking Minority Member; Business and Labor - Subcommittee on Economic Expansion and Growth; Finance; Welfare Reform and Human Resources - Subcommittee on Aging, Ranking Minority Member.
EXCUSED ABSENCE ..... 633.
EXCUSED VOTE: H.B. 92 ..... 839.
OATH ..... 12.

HOKE COUNTY
H 39 RAEFORD SALES TAX REFUND (Senate) (S 75) ..... 54, 93, 106.
S 75 RAEFORD SALES TAX REFUND (Ratified Ch.0016) (H 39) ..... 90, 285, 302, 324.

HOLIDAYS (G.S. 103)
H 37 VETO CONFORMING CHANGES (Judiciary I) ..... 54.
H 44 VETO CONFORMING CHANGES (Judiciary I) (S 54) ..... 55.
S 54 VETO CONFORMING CHANGES (Ratified Ch.0020) (H 44) .... 243, 311, 348, 389, 403.

HOLMES, GEORGE M.
BILLS INTRODUCED - 2, 3, 4, 5, 6, 7, 8, 9, 11, 14, 15, 16, 17, 38, 44,

HOLMES, GEORGE M. -Contd.
65, 86, 130, 142, 161, 165, 191, 192, 193, 194, 220, 223, 227, 228, *229, *230, 236, 247, 281, 305, 306, 365, 388, 390, *391, *392, 443, 478, 479, 481, 545, 585, 624, *680, 773, 784, 820, 852, 899, *984, 987, 1029.
COMMITTEE ASSIGNMENTS - Appropriations, Co-Chair and Senior Ranking Member; Financial Institutions; Judiciary I; Public Utilities.
CONFEREE: H.B. 229 (Chair), H.B. 230 (Co-Chair)
EXCUSED ABSENCES ..... 160, 1116.
FISCAL NOTE REQUESTED ON H.B. 838 ..... 1435.
OATH ..... 12.
SECONDS ADJOURNMENT ..... 125.

HOSPITALS - see HEALTH CARE FACILITIES AND SERVICES

HOUSE OF REPRESENTATIVES - see GENERAL ASSEMBLY

HOUSE RESOLUTIONS - see RESOLUTIONS, HOUSE (Simple)

HOUSE RULES - see RESOLUTIONS, HOUSE (Simple); RULES, HOUSE OF REPRESENTATIVES

HOUSING AUTHORITIES AND PROJECTS (G.S. 157)
S 56 ANTIQUATED LAWS REPEALED
(Ratified Ch.0379) ..... 268, 393, 888, 898, 917, 1335, 1345, 1346, 1357.
H 455 DRUG-FREE PUBLIC HOUSING ZONE
(Judiciary I) ..... 232.
H 445 EXPEDITE PUBLIC HOUSING EVICTION
(Judiciary I) ..... 229, 439.
S 559 HOUSING AUTHORITY CHANGES
(Ratified Ch.0520) ..... 872, 1183, 1319, 1402, 1412, 1562, 1571, 1577, 1583, 1584, 1605.
H 453 HOUSING AUTHORITY/RENT NO WAIVER
(Judiciary I) ..... 231.
S 120 MAKE BOND TAXATION UNIFORM
(Ratified Ch.0046) ..... 250, 285, 538, 552, 562.
H 454 VISITORS/GUESTS HOUSING AUTHORITY
(Judiciary I) ..... 231.

HOUSING FINANCE AGENCY, N.C. (G.S. 122A)
H 174 CONFIRMATION OF EXECUTIVE APPOINTMENTS
(Senate) ..... 104, 332, 369, 428, 445, 718, 755.

HOUSING FINANCE AGENCY, N.C. (G.S. 122A)-Contd.
S 349 HOUSING COORDINATION AND POLICY COUNCIL MEMBERSHIP (Ratified Ch.0263) ..... 846, 1051, 1095, 1141.
S 120 MAKE BOND TAXATION UNIFORM (Ratified Ch.0046) ..... 250, 285, 538, 552, 562.

HOWARD, JULIA C.
BILLS INTRODUCED - 4, 5, 6, 11, 12, 13, 14, 15, *16, *17, *18, *24, *33, 44, 50, 65, 82, 90, 96, 97, 98, 99, 100, 101, 130, 139, 141, 161, 170, 220, 223, 247, *281, 326, 327, 328, 331, 365, 387, 397, 407, *443, 463, 467, 468, 469, *479, 481, 502, 545, 556, 570, 573, 597, 624, *679, 738, *751, 766, 773, 791, 820, 829, 834, 852, 871, 882, *1043, *1052.
COMMITTEE ASSIGNMENTS - Ethics, Chair; Finance; Judiciary I; Public Employees; Welfare Reform and Human Resources, Co-Chair; Welfare Reform and Human Resources - Subcommittee on Families.
CONFEREE: S.B. 501, S.B. 737 (Chair)
ESCORT FOR UNC WOMEN'S BASKETBALL TEAM ..... 575.
EXCUSED ABSENCE ..... 368.
OATH ..... 12.
OFFERS PRAYER ..... 85.

HUNT, JACK
BILLS INTRODUCED - 105, 107, 112, 144, 179, 252, 282, 283, 331, 367, 397, 424, 439, 474, 495, 501, 556, 699, 700, 738, 771, 772, 773, *791, *819, 827, 846, 871, 895, 902, 913, *982, 989, 1008, 1029, *1061.
COMMITTEE ASSIGNMENTS - Business and Labor - Subcommittee on Travel and Tourism, Ranking Minority Member; Ethics; Finance; Transportation - Subcommittee on Airports, Railways, and Waterways.
EXCUSED ABSENCES .... 97, 103, 111, 121, 262, 275, 1203, 1215.
EXCUSED VOTE: H.B. 230 (Amendment 21) ..... 1338.
OATH ..... 12.
SECONDS ADJOURNMENT ..... 1598.

HUNT, JAMES B., JR., - GOVERNOR OF NORTH CAROLINA
STATE OF THE STATE ADDRESS ..... 91.

HUNTER, HOWARD J., JR.
BILLS INTRODUCED - 19, 50, 96, 99, 105, 112, 124, 125, 127, 138, 147, *154, 160, 161, 170, *173, 177, 220, 223, *255, *258, *259, *260, *261, *262, 282, 283, 362, 397, *456, 475, 487, 496, 497, 502,

HUNTER, HOWARD J., JR. -Contd.
503, *523, *524, 538, 540, 548, 549, 552, *579, *580, *581, *582, 600, 601, *711, 771, 773, 786, 804, 809, 818, 822, 823, 838, 840, 851, 860, 871, 876, 884, 885, 895, 897, 901, 910, 912, 929, 942, 946, 947, 953, 958, 960, 962, 963, *983, *985, 999, 1012, 1017, 1019, 1022, 1023, 1025, 1026, 1028, 1031, 1036, 1041, *1049, 1064.
COMMITTEE ASSIGNMENTS - Agriculture; Appropriations - Subcommittee on Natural and Economic Resources; Transportation - Subcommittee on Public Transportation; Welfare Reform and Human Resources - Subcommittee on Aging.
EXCUSED ABSENCE ..... 404.
EXCUSED VOTE: H.B. 90 ..... 1369.
EXCUSED VOTE: H.B. 825 ..... 980.
EXCUSED VOTE: H.B. 844 ..... 821.
EXCUSED VOTE: S.B. 82 ..... 1094.
EXCUSED VOTE: S.B. 353 ..... 1035.
OATH ..... 12.
SECONDS ADJOURNMENT ..... 1039.

HUNTER, ROBERT C.
APPROVAL OF VOTE CHANGE ON H.B. 230 ..... 1455.
APPROVAL OF VOTE CHANGE ON H.B. 481 ..... 1479.
BILLS INTRODUCED - *81, 88, 92, 105, 106, 107, 111, *139, *140, *141, 144, 147, 159, 161, 179, 191, 192, 205, *231, *232, 252, *254, *255, 265, *266, 267, 268, 347, *366, 367, 388, 397, 419, 467, 468, *473, 474, 475, 481, 501, 545, 580, 634, 795, 854, *895, *896, 913, 925, 929, 944, 952, 953, *989, 1019, 1050.
COMMITTEE ASSIGNMENTS - Finance; Financial Institutions; Judiciary I; Ways and Means.
CONFEREE: S. B. 415
EXCUSED ABSENCES ..... 111, 121, 275, 521, 562, 633, 868, 911, 1006, 1040, 1165, 1448, 1504.
OATH ..... 12.

HUNTING - see CONSERVATION AND DEVELOPMENT

HURLEY, JOHN W.
BILLS INTRODUCED - 64, 72, 79, 90, 92, 105, 107, 124, 130, *144, 159, 161, 170, 179, 191, 192, 223, 225, 252, 273, 274, 280, 283, 289, 347, 367, 393, 398, 399, 400, 406, 409, 417, 418, 419, 435, 436, 437,466, 467, 468, 475, 481, 489, 500, 502, 503, 534, 535, 538, 540, 544, 569, 592, 617, 624, *634, 636, 637, 699, 700, 729, 730, 731, 738, 747, 752, 767, 768, *769, 771, *782, 785, 786, 795, 796, 801, 815, 818, 820, 826, *841, 852, 854, 860, 874, 883, 884, 895, 899,

HURLEY, JOHN W.-Contd.
906, 913, 925, 960, 964, *987, *988, 995, 1005, 1022, 1023, 1024, 1025, 1045, *1057.
COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Human Resources; Insurance; Local and Regional Government II, Ranking Minority Member; Public Utilities.
CONFEREE: H.B. 330
EXCUSED ABSENCES..... 591, 696, 1054.
OATH..... 12.
OFFERS PRAYER..... 75.
SECONDS ADJOURNMENT..... 143, 843.

HYDE COUNTY
H 658 HYDE LOCAL LAND TRANSFER TAX
(Finance) ..... 376.

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INCOMPETENCY -
see GUARDIANSHIP AND INCOMPETENCY

INDUSTRIAL AND POLLUTION CONTROL FACILITIES FINANCING ACT (G.S. 159C)
H 475 SMALL BUSINESS CAPITAL AND GROWTH ACT
(Finance) ..... 256, 328, 917, 928.

INSPECTION AND LICENSING OF FACILITIES (G.S. 131D)
S 502 ASSISTED LIVING REQUIREMENT
(Ratified Ch.0535) . 871, 1260, 1533, 1536, 1586, 1618.
H 807 CAREGIVER CRIMINAL CHECKS
(Ratified Ch.0453) ..... 458, 658, 1066, 1091, 1110, 1421, 1440,1459, 1468.
S 864 DOMICILIARY CARE HOME REQUIREMENTS/RULES
(Ratified Ch.0449) 849, 909, 1100, 1119,
H 936 DOMICILIARY HOMES/EMPLOYEE TRAINING
(Approp - Human Resources) ..... 492, 788, 1082.
H 332 DOMICILIARY/NURSING HOME PENALTY LAW
(Senate) ..... 174, 457, 637, 690, 691.
H 402 FOSTER PARENT CRIMINAL CHECKS
(Senate) ..... 220, 264, 700, 708, 1081, 1334, 1393, 1430, 1443, 1461.
S 1014 NURSING/REST HOME EMPLOYMENT CHECK
(Finance) ..... 875, 941, 1013, 1144.

INSPECTION AND LICENSING OF FACILITIES (G.S. 131D)-Contd.

S 334 OMBUDSMAN/REST HOME COMMITTEE
(Ratified Ch.0254) .. 771, 909, 1100, 1104, 1132, 1140.

H 935 REST HOME ALARMS MANDATED
(Senate) ..... 492, 796, 839, 856.

H 756 REST HOME CHANGES
(Ratified Ch.0280) ..... 423, 457, 637, 823, 1166.

H 744 REST HOME PENALTY/PATIENT UNATTENDED
(Senate) .. 397, 669, 787, 833, 1287, 1408, 1410, 1467.

INSURANCE (G.S. 58)

H 229 1995 CONTINUATION BUDGET
(Ratified Ch.0324) .. 135, 618, 666, 670, 678, 913, 918, 941, 947, 1214, 1220, 1221, 1231, 1238.

S 653 AMEND MEDICAL PRACTICE ACT
(Ratified Ch.0405) . 774, 1011, 1035,1275, 1326, 1382.

H 452 AMEND PSYCHOLOGY PRACTICE ACT
(Finance) (Included Ch.0542) .. 231, 248, 327, 621, 670.

H 369 AMUSEMENT DEVICE INSURANCE
(Insurance) ..... 200.

H 994 APPROPRIATIONS FEE PROVISIONS
(Ratified Ch.0360) ..... 591, 606, 669, 878, 885, 1237, 1291, 1307.

H 434 ATTEMPTING TO ELUDE ARREST
(Senate) ..... 227, 673, 757.

H 425 AUTO INSURANCE RATE-MAKING REFORM
(Insurance) ..... 225.

H 851 BAIL BOND CHANGES
(Ratified Ch.0290) ..... 475, 801, 840, 1106, 1130, 1149, 1156, 1167.

S 534 BAIL BONDSMEN REGULATION
(Finance) ..... 1267, 1469.

S 880 BEACH PROPERTY INSURANCE
(Insurance) ..... 873.

H 749 CANCELLATION OF INSURANCE CONTRACTS
(Ratified Ch.0121) ..... 408, 543, 570, 959.

S 459 CLARIFY BAIL BOND FORFEITURES
(Ratified Ch.0503) ..... 742, 1483, 1530, 1565.

H 351 CONTINUING EDUCATION EXEMPT/INSURANCE
(Insurance) ..... 192.

S 751 COUNSELOR TREATMENT COVERED
(Ratified Ch.0406) ..... 661, 1245, 1323, 1333, 1382.

H 185 DEFENSE OF SOCIAL WORKERS
(Judiciary I) ..... 114.

INSURANCE (G.S. 58)-Contd.

H 503 DIRECT PAY/FAMILY THERAPISTS
(Reported Unfavorable) ..... 279, 543.

H 787 DIRECT REIMBURSEMENT/PHARMACISTS
(Ratified Ch.0223) ..... 449, 726, 824, 1070.

H 186 DUTY TO DEFEND STATE EMPLOYEES
(Judiciary I) (S 116) ..... 114.

H 107 FIRE/RESCUE SQUAD BENEFITS
(Pensions & Retirement) ..... 73.

H 52 FIREMEN/RESCUE SQUAD BENEFITS
(Pensions & Retirement) ..... 57.

H 288 HEALTH REFORM INITIATIVES/HEALTH PLANNING COMMISSION
(Calendar Pursuant 36(a)) ..... 155, 880.

H 105 INCREASE FIRE/RESCUE SQUAD BENEFITS
(Appropriations) ..... 73, 161, 1073, 1163.

H 780 INSURANCE CONTINUING EDUCATION
(Insurance) ..... 438.

H 103 INSURANCE FRAUD
(Ratified Ch.0043) ..... 70, 239, 271, 289, 529.

H 788 INSURANCE GUARANTY ASSOCIATION
(Ratified Ch.0177) ..... 449, 563, 609, 1009.

S 345 INSURANCE OMNIBUS CHANGES
(Ratified Ch.0517) ..... 871, 1067, 1111, 1159, 1251, 1341, 1430, 1469, 1474, 1491, 1545, 1548, 1556, 1605.

H 861 INSURANCE REFORM MEASURES
(Insurance) ..... 477.

H 289 INSURANCE REFORM/HEALTH PLANNING COMMISSION (Insurance) ..... 155.

S 353 INSURANCE TECHNICAL AMENDMENTS
(Ratified Ch.0193) ..... 677, 1009, 1035, 1040.

H 408 INSURER FINANCIAL AMENDMENTS
(Insurance) ..... 222.

S 342 INSURER FINANCIAL AMENDMENTS
(Ratified Ch.0318) ..... 523, 1009, 1111, 1197, 1204.

H 929 LITTERING PENALTIES
(Business & Labor) ..... 491.

H 98 LONG-TERM CARE INSURANCE STUDY
(Rules, Calendar & Operations of the House)
(Included Ch.0542) ..... 69, 145, 168.

H 823 MENTAL HEALTH PARITY
(Insurance) ..... 462.

INSURANCE (G.S. 58)-Contd.

H 594 NO INSURANCE DISCRIMINATION/BONES AND JOINTS
(Ratified Ch.0483) ... 343, 621, 652, 1519, 1526, 1535.

H 773 OBSTETRICIAN-GYNECOLOGISTS ACCESS
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H 104 TAXPAYER'S RIGHTS AMENDMENTS
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H 1030 USE OF ECONOMIC DEVELOPMENT FUNDS
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H 1060 CITY-COUNTY TAXATION/FINANCE
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S 807 REGIONAL VOCATIONAL AUTHORITIES
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H 129 TAXPAYER BILL OF RIGHTS
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H 3 TAXPAYER PROTECTION ACT
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LOCKE, L. W.
BILLS INTRODUCED - 50, 105, *115, 127, 161, 165, 177, 191, 192, 252, 315, 320, 321, 322, 323, 324, 347, 365, 367, 368, 388, 435, 474, 475, 489, 500, 502, 503, 522, 540, 556, 580, 592, 597, 634, *661, *662, *663, 721, 738, 760, 771, 786, 791, 796, 815, 820, 828, 829, 835, 852, *871, 882, 899, 913, 995, 998, 1029, 1041, 1050, *1067.
COMMITTEE ASSIGNMENTS - Agriculture; Appropriations - Subcommittee on Transportation; Health and Environment; Insurance, Ranking Minority Member.
CONFEREE: H.B. 115, H.B. 661
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H 838 LOTTERY FOR SCHOOL BUILDINGS
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COMMITTEE ASSIGNMENTS - Finance; Financial Institutions; Health and Environment; State Government - Subcommittee on Military, Veterans and Indian Affairs.
EXCUSED ABSENCES ..... 275, 542, 1448.
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S 133 GRAHAM/MACON/POLK AMBULANCE SERVICE (Ratified Ch.0009) ..... 137, 197, 234, 237.
H 709 MACON COMMISSIONERS (Rules, Calendar & Operations of the House) ..... 384, 688.
H 167 MACON SHERIFF'S FUNDS (Senate) ..... 99, 785, 815.
S 104 REVENUE LAWS TECHNICAL CHANGES (Ratified Ch.0017) ..... 159, 248, 270, 281, 324.

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H 208 COUNTY SCHOOL ACQUISITION (Ratified Ch.0251) ..... 124, 210, 313, 345, 363, 400, 1033, 1038, 1039, 1045, 1050, 1088, 1108, 1129, 1139.
H 160 LOCAL DRUG-FREE HOUSING (Senate) ..... 89, 406, 443, 453, 613, 663.
H 372 MADISON SCHOOL BOARD TERMS (Ratified Ch.0038) ..... 201, 313, 344, 522.

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H 229 1995 CONTINUATION BUDGET
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H 230 1995 EXPANSION/CAPITAL BUDGET
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S 590 1995 TECHNICAL CORRECTIONS
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H 19 1995 WELFARE REFORM
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H 237 ADOPTION RECORDS ACCESS
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S 159 ADOPTION REWRITE
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H 1048 AID TO FAMILIES WITH DEPENDENT CHILDREN - EMERGENCY ASSISTANCE FUNDS
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H 479 AID TO FAMILIES WITH DEPENDENT CHILDREN FRAUD PREVENTION PROGRAM
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H 270 ALIMONY CHANGES
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H 272 ALLOW INTERIM DISTRIBUTION AWARDS EQUITABLE DISTRIBUTION
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H 844 AMEND VITAL RECORDS LAW
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S 135 CERTAIN REVERSIONS
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H 168 CHILD SUPPORT CHANGES
(Ratified Ch.0538) ..... 99, 912, 928, 968, 982, 1061, 1152, 1257, 1589, 1601, 1609, 1619.

S 836 CIVIL ACTION/PATERNITY
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S 929 CIVIL PROCEDURE RULES AMENDMENTS
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H 164 COLLECT CHILD SUPPORT
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H 228 CONTINUE EXPIRING PROVISIONS
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H 503 DIRECT PAY/FAMILY THERAPISTS
(Reported Unfavorable) ..... 279, 543.
H 225 DIVORCE EDUCATIONAL PROGRAM
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H 686 DOMESTIC VIOLENCE CHANGES
(Senate) ..... 380, 726, 803.
H 83 EMERGENCY VEHICLE TAX EXEMPTIONS
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H 821 ENCOURAGE BREAST FEEDING
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H 273 EQUITABLE DISTRIBUTION BEFORE OR AFTER
DIVORCE (Ratified Ch.0245) 151, 768, 862,
1089, 1109, 1112, 1116.
H 269 EQUITABLE DISTRIBUTION/SANCTION DELAY
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1088, 1108, 1112, 1116.
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H 822 FAMILIES WITH DISABILITIES SUPPORT ACT
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H 31 FAMILY EXEMPTION REMOVED
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H 468 FELONY CHILD ABUSE/INCREASE PENALTY
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H 889 FINANCIAL AID/REGISTERED VOTER ONLY
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H 402 FOSTER PARENT CRIMINAL CHECKS
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H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS
(Appropriations) ..... 212.
S 501 GRANDPARENT CHILD SUPPORT LIABILITY
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1033, 1048, 1098, 1605.
S 1063 MENTAL HEALTH SUBSTANCE ABUSE
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H 743 NO FIREARM/DOMESTIC VIOLENCE ORDER (Judiciary II) . . . . . 397.

S 402 NO FIREARM/DOMESTIC VIOLENCE ORDER (Ratified Ch.0527) . . . . . 863, 1118, 1163, 1475, 1494, 1585, 1617.

H 111 OPEN RECORDS AND PUBLISH IDENTITY OF JUVENILES (Senate) . . . . . 74, 578, 611, 627, 650.

S 245 OPENING EMPTY LOCK BOXES (Ratified Ch.0089) . . . . . 622, 884, 899, 902.

H 954 PARENTAL CHOICE IN EDUCATION (Approp - Education) (Included Ch.0542) . . . . . 496, 925, 1036, 1075.

H 481 PARENTAL CONSENT/ABORTION (Ratified Ch.0462) . . . . . 265, 655, 706, 753, 1474, 1479, 1493.

H 271 PILOT MEDIATION/EQUITABLE DISTRIBUTION (Approp - Justice & Public Safety) . . . . . 151, 700, 1084.

H 250 PSYCHOLOGICAL COUNSELING OF PARENTS (Judiciary II) (S 379) . . . . . 146.

S 379 PSYCHOLOGICAL COUNSELING OF PARENTS (Ratified Ch.0328) (H 250) . . . . . 592, 923, 983, 1004, 1015, 1063, 1111, 1239.

H 5 PUBLIC ASSISTANCE RESPONSIBILITY (Senate) . . . . . 44, 559, 909, 920, 932, 978, 1060, 1152, 1254.

H 892 RIGHT TO EDUCATE CHILDREN (Rules, Calendar & Operations of the House) . . . . . 483.

H 878 SCHOOL HEALTH SERVICES LIMITED (Senate) . . . . . 480, 560, 763, 827.

S 707 SHARE OF AFTER-BORN/ADOPTED CHILDREN (Ratified Ch.0161) . . . . . 872, 949, 969, 1007.

S 244 SIMPLIFIED ESTATE ADMINISTRATION (Ratified Ch.0294) . . . . . 566, 1072, 1132, 1133, 1181.

H 86 SOCIAL SERVICES PATERNITY IDENTIFICATION (Senate) . . . . . 66, 273, 320, 334.

H 897 SPEAKER'S APPOINTMENTS (Ratified Ch.0488) . . . . . 484, 790, 835, 1533, 1537, 1554.

H 869 STANDBY GUARDIANSHIP ACT (Judiciary II) (S 682) . . . . . 479, 577.

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S 682 STANDBY GUARDIANSHIP ACT
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H 772 STATE HEALTH PLAN MODIFICATIONS
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S 721 STRICT LIABILITY/MINOR'S DAMAGE
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H 834 TEACH ABSTINENCE UNTIL MARRIAGE
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H 842 UNIFORM FRAUDULENT TRANSFER ACT
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S 237 USE VALUE TAX CHANGES
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MARTIN COUNTY

H 662 MARTIN SCHOOL BOARD ELECTION
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MCALLISTER, MARY E.

BILLS INTRODUCED - 130, 134, 135, 136, 161, 213, 252, 269, 270, 271, 272, 273, 274, 282, 283, 300, 301, 302, 303, 304, *307, 362, 367, 368, 397, 436, 437, 467, 468, 474, 475, 481, *487, 496, 497, 500, 502, 503, 523, 538, 540, 548, 549, 634, 743, 744, 771, 773, 786, 804, 815, 818, 821, 823, 838, 841, 852, 860, *910, 913, 935, 936, 999, *1017, 1041.

COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Transportation; Financial Institutions; Local and Regional Government I; Transportation - Subcommittee on Airports, Railways, and Waterways, Ranking Minority Member.

CONFEREE: H.B. 300

EXCUSED ABSENCES ..... 61, 144, 506, 575, 591, 617, 808.

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MCCOMAS, DANIEL F.

APPROVAL OF VOTE CHANGE ON H.B. 230 ..... 1313.

BILLS INTRODUCED - 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 38, 44, 52, 65, 67, 83, 84, 86, 87, 90, 105, 125, 126, 127, 130, 142, 143, 144, 161, 170, 172, 175, 189, 191, 192, 200, 201, 202, 207, 210, 220, 223, 236, 280, 282, 283, 315, 326, 349, *396, 397, 419, *427, 434, 435, 444, 445, 449, 454, 466, 467, 468, 479, 481,

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COMMITTEE ASSIGNMENTS - Business and Labor - Subcommittee on Travel and Tourism; Finance; Health and Environment; Judiciary II; Transportation, Vice Chair; Transportation - Subcommittee on Airports, Railways, and Waterways, Chair.
DELEGATION MEMBER TO ATTEND REPRESENTATIVE MACON SNOWDEN'S FUNERAL . . . 652.
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EXCUSED VOTE: H.B. 941 . . . . . 1601.
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COMMITTEE ASSIGNMENTS - Finance; Financial Institutions; Local and Regional Government I; Pensions and Retirement, Chair; Public Utilities.
CONFEREE: S.B. 724
EXCUSED VOTE: S.B. 1086 . . . . . 1093.
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MCCRARY, PAUL R.
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APPROVAL OF VOTE CHANGE ON H.B. 834 . . . . . 1600.
BILLS INTRODUCED - 105, 130, 161, 191, 192, 223, 225, 231, 232, 252, *254, *265, *266, 267, 268, 331, 367, 368, 397, 436, 474, 489, 496, 497, 500, 503, 522, 540, 548, 549, 556, *570, 738, 771, 774, 786, 796, 815, 852, 860, 871, 882, 895, 896, 899, 925, 953, 989, 1005, 1067.
COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Justice and Public Safety; Local and Regional Government I; Pensions and Retirement; Public Utilities.

MCCRARY, PAUL R. -Contd.
EXCUSED ABSENCES ..... 960, 1379, 1395, 1415, 1432.
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S 640 MCDOWELL SCHOOL ELECTIONS (Ratified Ch.0107) ..... 660, 924, 930, 937.

MCLAUGHLIN, JOHN B.
BILLS INTRODUCED - *36, *37, 92, *134, *135, *136, 161, 191, 213, 225, 236, 252, 275, 276, 277, 278, 279, 282, 283, 291, 292, 294, 295, 328, 377, 397, 404, 444, 445, 453, 455, 471, 472, 474, 475, 496, 497, 498, 501, 540, 551, 552, 556, 601, 618, 619, 771, 772, 804, 815, 846, 871, 913, 1005, 1036, 1039, 1040, 1041, 1044, 1048, 1057.
COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Transportation; Education - Subcommittee on Community Colleges and Universities; Public Utilities, Ranking Minority Member; Transportation - Subcommittee on Public Transportation, Ranking Minority Member.
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MCMAHAN, WILLIAM E.
BILLS INTRODUCED - 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 38, 44, 47, 50, 51, 61, 62, 64, 65, 70, 71, 72, 79, 105, 113, 126, 127, 130, 142, 161, 191, 192, 200, 201, 202, 207, 210, 220, 223, 236, 242, 247, 282, 315, 326, 327, 328, 331, *349, 365, 368, 377, 387, 388, 393, 394, 398, 399, 407, 408, 411, 415, 417, 419, 421, 427, 429, 430, 431, 432, 434, 435, *444, *445, *453, *454, *455, 463, 467, 468, 471, 472, 477, 479, 481, 494, 496, 497, 498, 501, 502, 503, 511, 522, 538, 540, 546, 551, 554, 559, 568, 569, 571, 573, 597, *617, *618, *619, 635, 641, 686, 720, 721, 722, 729, 730, 731, 732, 751, *770, 771, 776, 781, 782, 785, 786, *799, 801, 811, 816, 817, 820, 824, 827, 832, 834, *836, 844, 846, 848, 852, 859, 860, 877, 878, 886, 892, 893, 895, 897, 899, 904, 906, 907, 908, 913, 914, 915, 917, 927, 928, 935, 936, 943, 946, 947, 949, 956, 965, 967, 972, 976, 995, 1020, 1027, 1029, 1050.
COMMITTEE ASSIGNMENTS - Education, Vice Chair; Education - Subcommittee on Community Colleges and Universities, Chair; Finance; Financial Institutions; Local and Regional Government II; Rules, Calendar and Operations of the House.
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S 663 AMEND VARIOUS LOCAL LAWS (Ratified Ch.0432) ..... 593, 1217, 1274, 1291, 1348, 1361, 1388, 1433.
S 708 CHARLOTTE BID LIMITS (Ratified Ch.0273) ..... 660, 1055, 1109, 1165.
H 513 CHARLOTTE FIREFIGHTERS' FUND (Ratified Ch.0171) ..... 286, 416, 508, 536, 1008.
H 498 CHARLOTTE PROPERTY DISPOSITION (Ratified Ch.0170) ..... 278, 699, 747, 1008.
H 472 CHARLOTTE RECORD COPIES (Local & Regional Government I) ..... 249.
H 377 CHARLOTTE STREET NAME CHANGES (Ratified Ch.0023) ..... 202, 247, 281, 419.
H 471 CHARLOTTE/MECKLENBURG LOCAL ACT REPEAL (Ratified Ch.0169) ..... 249, 531, 551, 1008.
S 563 CORNELIUS ANNEXATION (Ratified Ch.0364) ..... 1044, 1096, 1171, 1208, 1258, 1281, 1289, 1310, 1314.
H 546 DIRECT RECORD VOTING (Ratified Ch.0197) ... 328, 517, 537, 1014, 1029, 1041.
S 431 EXTEND CHARLOTTE SCHOOL FUNDING PROGRAM (Approp - Education) ..... 678, 1076.
H 495 INJURY TO LAW ENFORCEMENT ANIMAL (Senate) ..... 277, 516, 662, 734, 780, 815, 853.
S 582 LOCAL BEER/WINE POSSESSION (Ratified Ch.0144) (S 605) ..... 623, 934, 953, 994.
H 619 LOCAL SCHOOL CONSTRUCTION CONTRACTS (Senate) ..... 358, 725, 747, 779, 816, 852.
H 712 MATTHEWS MOTOR VEHICLE TAX (Finance) ..... 385.
H 713 MATTHEWS POLICE VEHICLE USAGE (Ratified Ch.0176) ..... 385, 810, 853, 1009.
H 444 MECKLENBURG DRUG COURT PROGRAM (Approp - Justice & Public Safety) (Included Ch.0507) ..... 229, 620, 1084.

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H 716 MODIFY MECKLENBURG ROOM TAX (Rules, Calendar & Operations of the House) ..... 385, 1446.

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H 229 1995 CONTINUATION BUDGET (Ratified Ch.0324) ..... 135, 618, 666, 670, 678, 913, 918, 941, 947, 1214, 1220, 1221, 1231, 1238.

H 230 1995 EXPANSION/CAPITAL BUDGET (Ratified Ch.0507) ..... 136, 1297, 1311, 1315, 1338, 1447, 1454, 1464, 1573, 1574, 1575, 1592.

H 898 1995 STUDIES (Ratified Ch.0542) ..... 485, 1557, 1580, 1596, 1598, 1599, 1619.

S 864 DOMICILIARY CARE HOME REQUIREMENTS/ RULES (Ratified Ch.0449) ..... 849, 909, 1100, 1119, 1287, 1408, 1410, 1467.

H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS (Appropriations) ..... 212.

S 1021 HOME HEALTH AREA CLARIFIED (Ratified Ch.0359) ..... 851, 1218, 1279, 1288, 1307.

H 843 MEDICAID BED-HOLDING (Approp - Human Resources) ..... 474, 788, 1082.

S 308 MEDICAID FRAUD CHANGE (Ratified Ch.0317) ..... 677, 1158, 1189, 1193, 1204.

H 956 MEDICAID MANAGED CARE (Rules, Calendar & Operations of the House) ..... 496.

H 5 PUBLIC ASSISTANCE RESPONSIBILITY (Senate) ..... 44, 559, 909, 920, 932, 978, 1060, 1152, 1254.

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S 590 1995 TECHNICAL CORRECTIONS (Ratified Ch.0509) ..... 773, 1158, 1256, 1397, 1503, 1532, 1547, 1604.

H 441 ABOLISH BURIAL COMMISSION (Business & Labor) ..... 228.

S 846 ADVANCE INSTRUCTION/MENTAL HEALTH TREATMENT (Judiciary II) ..... 775, 1581.

H 489 AMEND DEFINITION OF PODIATRY (Health & Environment) (S 399) ..... 267.

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H 689 AMEND DEFINITION OF PODIATRY
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S 399 AMEND DEFINITION OF PODIATRY
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H 825 AMEND FUNERAL/CREMATION LAWS
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S 653 AMEND MEDICAL PRACTICE ACT
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H 452 AMEND PSYCHOLOGY PRACTICE ACT
(Finance) (Included Ch.0542) .. 231, 248, 327, 621, 670.
H 720 AMEND STRUCTURED SENTENCING
(Judiciary II) ..... 386, 653.
S 555 BOARD OF DENTAL EXAMINERS FEES
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H 514 CERTIFIED CLINICAL SOCIAL WORKERS CORPORATIONS (Judiciary I) ..... 286, 735.
S 1017 CHANGE MEDICAL BOARD NAME
(Ratified Ch.0094) ..... 850, 894, 908, 911.
H 183 CLARIFY VOLUNTEER EMERGENCY MEDICAL SERVICES LIABILITY
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S 118 CLARIFY VOLUNTEER EMERGENCY MEDICAL SERVICES LIABILITY
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H 227 CODIFY INSTITUTE OF MEDICINE
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S 751 COUNSELOR TREATMENT COVERED
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H 157 CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS (Judiciary II) (S 208) ..... 88.
S 208 CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS (Judiciary II) (H 157) ..... 566.
H 259 DAY CARE PROVIDER RECORDS
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H 503 DIRECT PAY/FAMILY THERAPISTS
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H 848 DISCHARGE OF MINORS/NOTIFICATION
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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations - Subcommittee on Justice and Public Safety, Ranking Minority Member; Pensions and Retirement, Ranking Minority Member; Transportation - Subcommittee on Airports, Railways, and Waterways.

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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on General Government; Ethics; Judiciary I; Public Employees.
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COMMITTEE ASSIGNMENTS - Business and Labor - Subcommittee on Economic Expansion and Growth; Finance; Judiciary I; Local and Regional Government II.
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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Natural and Economic Resources; Education - Subcommittee on Community Colleges and Universities; Financial Institutions, Vice Chair; Judiciary I.
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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Transportation; Financial Institutions; Public Utilities; Transportation, Chair; Ways and Means.
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COMMITTEE ASSIGNMENTS - Agriculture, Vice Chair; Appropriations - Subcommittee on Natural and Economic Resources, Co-Chair; Business and Labor - Subcommittee on Labor Relations and Employment; Welfare Reform and Human Resources - Subcommittee on Families.
CONFEREE: H.B. 229, H.B. 230, S.B. 649, S.B. 974
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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Transportation; Ethics; Finance; Judiciary I; Public Utilities; Rules, Calendar and Operations of the House, Chair.

CONFEREE: H.B. 65, H.B. 637, S.B. 6, S.B. 57, S.B. 58, S.B. 200 (Chair)

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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Education, Co-Chair; Business and Labor - Subcommittee on Travel and Tourism; Education - Subcommittee on Preschool, Elementary and Secondary Education; Health and Environment; Pensions and Retirement.
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H 281 RESIDENTIAL PROPERTY DISCLOSURE
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S 927 SMALL DEMOLITION LANDFILLS
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H 1066 NONRECYCLING PLASTICS PRODUCERS PAY
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S 286 REQUIRE COMPOSITE TESTING OF WATER
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H 893 REVISE ENVIRONMENTAL PERMIT APPEALS
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H 113 CRIMINAL JUSTICE RECORDS ACCESS
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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Justice and Public Safety; Judiciary I; Rules, Calendar and Operations of the House, Vice Chair; Transportation - Subcommittee on Airports, Railways, and Waterways.
CONFEREE: S.B. 559
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H 817 ENVIRONMENTAL AUDITS
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H 1049 ENVIRONMENTAL PROTECTION IMPROVEMENTS (Health & Environment) ..... 740.

H 893 REVISE ENVIRONMENTAL PERMIT APPEALS (Senate) ..... 483, 762, 827.

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H 243 RAILROAD TRESPASSING/CROSSING SAFETY (Transportation - Airports, Railways & Waterways) ..... 142, 370, 433, 630, 706, 707, 728.

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COMMITTEE ASSIGNMENTS - Finance; Financial Institutions; Pensions and Retirement; Ways and Means, Ranking Minority Member.

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COMMITTEE ASSIGNMENTS - Business and Labor, Vice Chair; Business and Labor - Subcommittee on Economic Expansion and Growth; Education - Subcommittee on Preschool, Elementary and Secondary Education; Finance; Transportation - Subcommittee on Highways.
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H 473 LIMITED LIABILITY COMPANIES (Ratified Ch.0351) ..... 255, 573, 645, 665, 1236, 1277, 1283.
H 443 REAL ESTATE APPRAISERS/TRAINEE (Ratified Ch.0482) ..... 229, 327, 1042, 1157, 1285, 1328, 1349, 1518, 1526, 1535.
H 751 REAL ESTATE INDEPENDENT CONTRACTOR (Ratified Ch.0127) ..... 408, 686, 759, 961.
H 33 REAL ESTATE RENEWAL FEES (Ratified Ch.0022) ..... 51, 110, 320, 333, 405.

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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Justice and Public Safety; Business and Labor - Subcommittee on Travel and Tourism; Judiciary II; Ways and Means.
EXCUSED ABSENCES ..... 868, 1165, 1343.
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H 126 BOARD OF GOVERNORS ELECTION (Adopted) ..... 80, 112, 252, 254, 281, 304, 305.
H 154 COMMEMORATE SESAME STREET 25TH ANNIVERSARY (Reported Unfavorable) ..... 88, 602.
H 1070 COMMENDING ELVIE STREET SCHOOL (Rules, Calendar & Operations of the House) ..... 1521.
H 1 HOUSE RULES (Adopted) ..... 28.
H 209 INVITING MISS AMERICA 1995 (Adopted) ..... 124, 261, 281.
H 688 SELECT COMMITTEE ON CERTIFICATES OF NEED (Adopted) ..... 381, 603, 952, 964.
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H 226 HONORING UNIVERSITY OF NORTH CAROLINA - CHAPEL HILL WOMEN'S BASKETBALL
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H 772 STATE HEALTH PLAN MODIFICATIONS (Appropriations) ..... 436, 675, 947.

REYNOLDS, DENNIS A.

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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Education; Business and Labor - Subcommittee on Travel and Tourism; Local and Regional Government I; Public Utilities, Vice Chair.
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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Justice and Public Safety; Health and Environment; Judiciary II; Welfare Reform and Human Resources - Subcommittee on Families.
CONFEREE: H.B. 637, S.B. 501 (Chair)
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H 1060 CITY-COUNTY TAXATION/FINANCE
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H 1014 DEPARTMENT OF TRANSPORTATION SERVICES AT WESTERN GOVERNOR'S RESIDENCE
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H 134 DIVISION OF MOTOR VEHICLES/DEPARTMENT OF TRANSPORTATION TECHNICAL CHANGES
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H 305 EXTEND EXPIRING PROVISIONS
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S 240 LET DEPARTMENT OF TRANSPORTATION DREDGE FOR LOCAL GOVERNMENT
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H 146 LUMBERTON VEHICLE TOWING
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COMMITTEE ASSIGNMENTS - Business and Labor, Chair; Finance; Judiciary I; Rules, Calendar and Operations of the House; Ways and Means, Chair.
CONFEREE: H.B. 300, H.B. 645, S.B. 559
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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on General Government; Health and Environment; State Government - Subcommittee on State Parks, Facilities and Property; Transportation - Subcommittee on Airports, Railways, and Waterways.
CONFEREE: S.B. 649
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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations - Subcommittee on Education; Local and Regional Government I, Ranking Minority Member; Public Utilities.
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H 270 ALIMONY CHANGES
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H 168 CHILD SUPPORT CHANGES
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S 929 CIVIL PROCEDURE RULES AMENDMENTS
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H 940 CRIMINAL/CIVIL PROCEDURE CHANGES
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H 816 ENVIRONMENTAL PERMIT APPEALS
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H 1049 ENVIRONMENTAL PROTECTION IMPROVEMENTS
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H 269 EQUITABLE DISTRIBUTION/SANCTION DELAY
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H 921 REPEAL WATERSHED PROTECTION ACT
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H 636 RULE 11 SANCTIONS
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H 265 SERVICE OF PROCESS
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H 1029 UNDERGROUND STORAGE TANK AMENDMENTS
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COMMITTEE ASSIGNMENTS - Ex Officio Member of all Committees.
CONFEREE: H.B. 3, H.B. 7 (Chair), H.B. 229, H.B. 230, H.B. 300, S.B. 16, S.B. 24, S.B. 649
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H 48 EMPLOYEE LEASING ACT
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H 240 EXTEND SENTENCING COMMISSION
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S 186 EXTEND SENTENCING COMMISSION
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H 809 LOCAL OPTION LOTTERY FOR LOCAL NEEDS
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H 952 NORTH CAROLINA BRIDGE AUTHORITY
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H 5 PUBLIC ASSISTANCE RESPONSIBILITY
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H 435 SHERIFFS' COMMISSION CHANGES
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H 963 SMALL BUSINESS SURETY BONDS
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H 1054 STATE FIRE AND RESCUE COMMISSION
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H 35 TAX RELIEF/COMPETITIVENESS
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H 197 ROSEBORO MAYOR'S TERM
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H 912 AMEND WASTEWATER SYSTEMS LAW
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S 294 REGULATION OF BARBERS
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H 890 SANITARIAN EDUCATION REQUIREMENTS
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S 798 SANITARY DISTRICT SERVICES
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S 899 CONFIDENTIALITY OF FINANCIAL INSTITUTION'S RECORDS
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H 626 SCOTLAND COUNTY FIRE DISTRICTS
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H 178 SCOTLAND COUNTY ROOFING PERMITS
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S 287 AMEND STATUTORY RAPE LAW
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H 720 AMEND STRUCTURED SENTENCING
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H 207 EXPLOIT CHILD/SOLICIT BY COMPUTER
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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Justice and Public Safety; Education - Subcommittee on Preschool, Elementary and Secondary Education; State Government - Subcommittee on Military, Veterans and Indian Affairs; Transportation, Vice Chair: Transportation - Subcommittee on Highways, Chair.
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SHARPE, JOANNE P.
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COMMITTEE ASSIGNMENTS - Business and Labor - Subcommittee on Economic Expansion and Growth; Finance; Public Utilities, Vice Chair; Welfare Reform and Human Resources - Subcommittee on Families.

SHARPE, JOANNE P. -Contd.
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COMMITTEE ASSIGNMENTS - Business and Labor - Subcommittee on Economic Expansion and Growth; Finance; Public Employees; State Government - Subcommittee on Military, Veterans and Indian Affairs.
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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Transportation; Business and Labor - Subcommittee on Labor Relations and Employment; Public Employees; State Government, Vice Chair; State Government - Subcommittee on Boards and Commissions, Chair.
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SHUBERT, FERN H.
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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations - Subcommittee on Education; Health and Environment; Welfare Reform and Human Resources, Vice Chair; Welfare Reform and Human Resources - Subcommittee on Families, Chair.
CONFEREE: S.B. 1078
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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on General Government; Health and Environment, Vice Chair; State Government - Subcommittee on State Parks, Facilities and Property; Transportation - Subcommittee on Airports, Railways and Waterways.

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H 479 AID TO FAMILIES WITH DEPENDENT CHILDREN FRAUD PREVENTION PROGRAM (Senate) ..... 265, 715, 1082, 1159, 1197, 1293.

S 502 ASSISTED LIVING REQUIREMENT (Ratified Ch.0535) ..... 871, 1260, 1533, 1536, 1586, 1618.

H 18 CHILD DAY CARE PAYMENTS (Senate) ..... 48, 166, 239, 289.

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S 560 DIRECTOR OF SOCIAL SERVICES/YOUTH EMPLOYMENT CERTIFICATES (Ratified Ch.0214) ..... 660, 938, 953, 1062, 1069.

H 96 DOMESTIC ABUSE/DISABLED OR ELDER ADULTS (Judiciary II) (S 127) ..... 69.

S 127 DOMESTIC ABUSE/DISABLED OR ELDER ADULTS (Ratified Ch.0246) (H 96) ..... 770, 1044, 1064, 1116.

S 737 ELECTRONIC FUNDS TRANSFER/COUNTIES (Conference Committee) ..... 938, 1048, 1050, 1060, 1064, 1099, 1376, 1386.

H 16 FOOD STAMP ELECTRONIC BENEFITS TRANSFER (Senate) (Included Ch.0507) ..... 48, 103, 125.

H 17 FOOD STAMP FRAUD FELONY (Senate) ..... 48, 72, 139.

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S 8 INTANGIBLES REPEAL/HOLD HARMLESS (Ratified Ch.0041) ..... 106, 209, 513, 526, 529.

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S 308 MEDICAID FRAUD CHANGE (Ratified Ch.0317) ..... 677, 1158, 1189, 1193, 1204.

H 956 MEDICAID MANAGED CARE (Rules, Calendar & Operations of the House) ..... 496.

H 5 PUBLIC ASSISTANCE RESPONSIBILITY (Senate) ..... 44, 559, 909, 920, 932, 978, 1060, 1152, 1254.

H 835 RECOVER STATE MEDICAL CARE COSTS (Ratified Ch.0508) ..... 465, 787, 834, 1592.

H 379 REPEAL CERTAIN ASSET TRANSFER PENALTIES (Approp - Human Resources) .. 202, 1081.

H 380 REPEAL PROPERTY LIMITATION/SPECIAL ASSISTANCE (Senate) ..... 202, 457, 637, 690.

H 378 RESOLVE SPECIAL ASSISTANCE CONFLICT (Ratified Ch.0298) ..... 202, 457, 637, 690, 1181.

H 86 SOCIAL SERVICES PATERNITY IDENTIFICATION (Senate) ..... 66, 273, 320, 334.

S 346 STATE WORK PROGRAM REPEAL (Welfare Reform & Human Resources) ..... 360.

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H 104 TAXPAYER'S RIGHTS AMENDMENTS
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H 787 DIRECT REIMBURSEMENT/PHARMACISTS
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H 774 HEALTH CARE COLLABORATIVE PRACTICE
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S 642 SOCIAL WORK BOARD FEES UPDATE
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H 826 LICENSING OF SOIL SCIENTISTS
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SOLID WASTE MANAGEMENT LOAN PROGRAM, NORTH CAROLINA (G.S. 159I)
H 997 FINANCE LAND FOR LANDFILLS
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S 120 MAKE BOND TAXATION UNIFORM
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S 874 ALLOCATE ROANOKE WATER/ENVIRONMENTAL TECHNICAL CORRECTIONS (Ratified Ch.0504)
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S 104 REVENUE LAWS TECHNICAL CHANGES (Ratified Ch.0017) ..... 159, 248, 270, 281, 324.
H 615 STANFIELD CORPORATE LIMITS (Ratified Ch.0189) ..... 358, 613, 683, 710, 745, 1025.
S 339 STANLY AIRPORT AUTHORITY POWERS (Ratified Ch.0342) .. 771, 933, 1170, 1223, 1243, 1282.
S 600 STANLY COMMISSIONERS STAGGERED TERMS (Local & Regional Government I) ..... 593.
H 614 STANLY COUNTY LOCAL ACT (Rules, Calendar & Operations of the House) ..... 357.

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H 376 1995 RETIREMENT BENEFITS ACT (Appropriations) (Included Ch.0324) ..... 202, 697.
S 590 1995 TECHNICAL CORRECTIONS (Ratified Ch.0509) ..... 773, 1158, 1256, 1397, 1503, 1532, 1547, 1604.
H 235 ADMINISTRATOR STANDARDS BOARD CHANGES (Ratified Ch.0116) ..... 136, 391, 416, 958.
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H 394 AMEND DUTIES OF STATE CONTROLLER (State Government) . . . . . 219, 264.

S 388 AMEND PESTICIDE LAW (Ratified Ch.0445) . . . . . 1028, 1104, 1295, 1296, 1393, 1410, 1429, 1467.

H 912 AMEND WASTEWATER SYSTEMS LAW (Ratified Ch.0285) . . . 487, 762, 805, 1124, 1150, 1166.

S 974 APPLICATOR OF AGRICULTURE WASTE (Ratified Ch.0544) . . . . . 874, 1255, 1280, 1305, 1413, 1475, 1491, 1528, 1544, 1552, 1566, 1582, 1609, 1613, 1620.

H 434 ATTEMPTING TO ELUDE ARREST (Senate) . . . . . 227, 673, 757.

S 612 BUILDING CODE/SPRINKLER REQUIREMENTS (Ratified Ch.0242) . . . . . 773, 1052, 1112, 1116.

H 210 CAREER TEACHER DISMISSALS (Rules, Calendar & Operations of the House) (Included Ch.0542) . . . . . 124, 630, 722.

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H 742 CONSTRUCTION BIDDING AND PROCEDURES (Business & Labor) . . . . . 396.

H 228 CONTINUE EXPIRING PROVISIONS (Ratified Ch.0358) . . . . . 130, 1275, 1289, 1296.

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H 430 COSTS/VICTIM ASSISTANTS (Appropriations) . . . . . 226, 972, 1230, 1251.

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H 403 DAY CARE PROVIDER RECORDS (Senate) . . . . . 221, 264, 700, 708, 1081, 1334, 1393, 1449, 1473, 1479.

S 243 DEATH SETTLEMENT APPROVAL (Ratified Ch.0401) . . . . . 549, 1183, 1319, 1322, 1381.

H 185 DEFENSE OF SOCIAL WORKERS (Judiciary I) . . . . . 114.

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S 357 DEPARTMENT OF TRANSPORTATION ASSIGNED VEHICLE CHANGES (Ratified Ch.0402) ..... 438, 1229, 1323, 1331, 1382.
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H 934 ENVIRONMENTAL CLARIFYING/CONFORMING/ TECHNICAL CORRECTIONS (Senate) (S 874) ..... 492, 762, 840, 842, 861.
H 816 ENVIRONMENTAL PERMIT APPEALS (Health & Environment) ..... 460.
H 1049 ENVIRONMENTAL PROTECTION IMPROVEMENTS (Health & Environment) ..... 740.
H 836 EXPEDITE ENVIRONMENTAL PERMITTING (Ratified Ch.0484) ..... 465, 990, 1244, 1261, 1292, 1519, 1526, 1535.
H 891 FAIR USE OF TELECOMMUNICATIONS (Senate) ..... 483, 564, 610, 611, 627.
H 402 FOSTER PARENT CRIMINAL CHECKS (Senate) ..... 220, 264, 700, 708, 1081, 1334, 1393, 1430, 1443, 1461.
H 301 FURNITURE CONTRACTS (Ratified Ch.0136) ..... 158, 218, 244, 972.
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S 437 GOVERNMENT CONSTRUCTION CONTRACTS (Ratified Ch.0367) ..... 592, 940, 1202, 1276, 1314.
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H 392 GOVERNOR'S 1995 OPERATING APPROPRIATIONS (Appropriations) ..... 212.

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H 288 HEALTH REFORM INITIATIVES/ HEALTH PLANNING COMMISSION (Calendar Pursuant 36(a)) ... 155, 880.

H 449 IMPROVE RESTITUTION COLLECTION (Judiciary II) ... 230.

S 353 INSURANCE TECHNICAL AMENDMENTS (Ratified Ch.0193) ... 677, 1009, 1035, 1040.

H 573 LAW ENFORCEMENT TO CRIME CONTROL AND PUBLIC SAFETY (Approp - Justice & Public Safety) ... 339.

H 873 LIMIT PESTICIDE APPLICATIONS (Ratified Ch.0478) ... 479, 732, 804, 1309, 1347, 1356, 1360, 1399, 1474, 1478, 1506, 1532.

H 855 LOCAL GOVERNMENT CONTRACTING (Senate) ... 476, 790, 835.

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S 525 MEDICAL CARE SAVINGS PLAN (Ratified Ch.0418) ... 864, 1121, 1232, 1284, 1367, 1396.

S 1041 MINIMUM STREAMFLOW/SMALL HYDROPOWER DAMS (Ratified Ch.0184) ... 851, 890, 990, 1017, 1024.

H 1041 MODEL PLANS FOR PUBLIC SCHOOLS (Approp - Education) (Included Ch.0542) ... 739, 1076.

S 491 MODIFY MINIMUM STREAMFLOW/ SMALL HYDROELECTRIC (Ratified Ch.0439) ... 871, 1360, 1409, 1449.

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CONFEREE: H.B. 146, H.B. 459
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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations - Subcommittee on General Government; Business and Labor - Subcommittee on Economic Expansion and Growth, Ranking Minority Member; Insurance.
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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Education, Ranking Minority Member; Education - Subcommittee on Preschool, Elementary and Secondary Education; Health and Environment, Ranking Minority Member; Public Employees.

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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations - Subcommittee on Human Resources; Education - Subcommittee on Community Colleges and Universities; Health and Environment; Transportation - Subcommittee on Highways.
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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations - Subcommittee on Natural and Economic Resources, Co-Chair; Health and Environment; State Government - Subcommittee on State Parks, Facilities and Property.
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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Natural and Economic Resources; Business and Labor - Subcommittee on Labor Relations and Employment, Ranking Minority Member; Judiciary I; Public Utilities.
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WILSON, CONSTANCE K.
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COMMITTEE ASSIGNMENTS - Education - Subcommittee on Community Colleges and Universities; Ethics; Finance, Co-Chair; Judiciary II.
CONFEREE: H.B. 3
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COMMITTEE ASSIGNMENTS - Appropriations - Subcommittee on Human Resources; Business and Labor, Vice Chair; Business and Labor - Subcommittee on Labor Relations and Employment, Chair; Local and Regional Government II; Welfare Reform and Human Resources - Subcommittee on Aging.
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COMMITTEE ASSIGNMENTS - Finance; Public Utilities; State Government - Subcommittee on Military, Veterans and Indian Affairs; Welfare Reform and Human Resources - Subcommittee on Aging.
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COMMITTEE ASSIGNMENTS - Education, Chair; Ethics; Finance; Judiciary I; Ways and Means.
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S 345 INSURANCE OMNIBUS CHANGES
(Ratified Ch.0517) ..... 871, 1067, 1111, 1159, 1251, 1341, 1430, 1469, 1474, 1491, 1545, 1548, 1556, 1605.

H 741 MEDICAL RECORD FEES
(Approp - Natural & Economic Resources)
(Included Ch.0542) ..... 396, 945, 1087.

H 306 PROVISIONS EXTENDED
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H 751 REAL ESTATE INDEPENDENT CONTRACTOR
(Ratified Ch.0127) ..... 408, 686, 759, 961.

H 191 REQUIRE FISCAL NOTE/SUBJECT MATTER NOTICE
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S 710 SELF-INSURANCE GUARANTY FUND
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H 915 SUBSTITUTE WORKERS' COMPENSATION
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H 129 TAXPAYER BILL OF RIGHTS
(Finance) ..... 81.

H 37 VETO CONFORMING CHANGES
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H 44 VETO CONFORMING CHANGES
(Judiciary I) (S 54) ..... 55.

S 54 VETO CONFORMING CHANGES
(Ratified Ch.0020) (H 44) .... 243, 311, 348, 389, 403.

H 143 WORKERS' COMPENSATION CREDIT FOR DRUG PROGRAM
(Business & Labor) ..... 86, 240, 973.

S 594 WORKER'S COMPENSATION MEDIATION SUNSET
(Business & Labor) ..... 1107.

S 973 WORKERS' COMPENSATION RATING LAW
(Ratified Ch.0505) ..... 1360, 1417, 1477, 1530, 1565.

S 931 WORKERS' COMPENSATION SELF-INSURED SAFEGUARDS
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WRIGHT, THOMAS E.

BILLS INTRODUCED - 88, 105, 133, 161, 169, 172, 191, 192, 207, 211, 216, 217, 225, 252, *256, *257, 259, 261, 262, *264, 286, 287, 288, 289, 290, 292, 293, 294, *296, *297, *298, 299, 315, 362, 393, 396, 397, 462, *465, 467, 468, 474, 475, 487, 497, 502, 503, 523, 540, *548, *549, 551, *602, *645, 684, 768, 771, 774, 786, 815, 838, 840, 913, 963, 982, 1012, 1031, 1041, *1062.

COMMITTEE ASSIGNMENTS - Education - Subcommittee on Preschool, Elementary and Secondary Education; Finance; Health and Environment; State Government - Subcommittee on State Parks, Facilities and Property, Ranking Minority Member.

CONFEREE H.B. 645 (Chair)

EXCUSED ABSENCES ..... 72, 75, 160, 164, 169, 285, 351, 521, 562, 617, 901, 911, 926, 1006, 1139.

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SECONDS ADJOURNMENT ..... 1413.

-Y-

YONGUE, DOUGLAS Y.

APPROVAL OF VOTE CHANGE ON H.B. 836 ..... 1262.

BILLS INTRODUCED - *39, 105, 112, *121, 127, 134, 135, 136, 144, 146, 161, 188, 191, 192, 223, 225, 236, 252, 291, 292, 293, 294, 320, 321, 322, 323, 324, *325, 365, 367, 397, 433, 436, 437, 467, 468, 474, 475, 480, 487, 496, 497, 502, 503, 538, 540, 547, 548, 551, 556, *572, 585, 600, 617, 622, 626, 634, 736, 738, 767, 768, 771, 772, 774, 786, 804, 815, 818, 820, 834, 841, 852, 871, 913, 982, 1004, *1008, 1009, 1010, 1017, 1022, 1025, 1026, 1028, 1029, 1044, 1057.

YONGUE, DOUGLAS Y.-Contd.

COMMITTEE ASSIGNMENTS - Agriculture; Appropriations - Subcommittee on Natural and Economic Resources; Local and Regional Government I; Transportation - Subcommittee on Public Transportation.

CONFEREE H.B. 146

EXCUSED ABSENCES ..... 53, 61.

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OFFERS PRAYER ..... 1549.

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1995

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5	S 3	42	H 2	79	H 698
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10	S 153	47	S 146	84	H 651
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19	H 205	56	H 493	93	S 471
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21	S 220	58	H 553	95	H 543
22	H 33	59	H 604	96	H 632
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25	S 286	62	H 331	99	S 771
26	S 333	63	H 773	100	S 862
27	H 161	64	H 405	101	H 383
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32	S 265	69	H 609	106	S 639
33	S 152	70	H 611	107	S 640
34	H 145	71	H 628	108	S 871
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115	H 97	155	H 758	195	H 135
116	H 235	156	H 837	196	H 507
117	H 456	157	H 958	197	H 546
118	H 470	158	S 309	198	H 603
119	H 602	159	S 384	199	S 277
120	H 666	160	S 428	200	S 481
121	H 749	161	S 707	201	S 579
122	S 487	162	H 68	202	S 643
123	S 506	163	H 134	203	S 699
124	H 178	164	H 173	204	S 832
125	H 492	165	H 314	205	S 886
126	H 520	166	H 423	206	H 634
127	H 751	167	H 446	207	H 754
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129	S 482	169	H 471	209	H 805
130	S 918	170	H 498	210	H 812
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133	H 69	173	H 583	213	S 477
134	H 133	174	H 584	214	S 560
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137	H 400	177	H 788	217	H 424
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140	S 312	180	S 575	220	H 647
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235	H 566	276	H 336	317	S 308
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237	S 408	278	H 448	319	H 270
238	S 652	279	H 663	320	H 330
239	S 975	280	H 756	321	H 798
240	H 272	281	S 287	322	S 414
241	H 766	282	S 714	323	H 656
242	S 612	283	H 328	324	H 229
243	S 813	284	H 340	325	S 664
244	H 269	285	H 912	326	H 108
245	H 273	286	H 593	327	H 708
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247	S 240	288	H 740	329	S 496
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260	H 642	301	H 491	342	S 339
261	H 692	302	H 575	343	S 637
262	S 82	303	H 676	344	S 642
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266	S 679	307	S 568	348	H 574
267	S 686	308	H 127	349	H 768
268	S 818	309	H 730	350	H 1058
269	S 967	310	S 300	351	H 473
270	H 341	311	S 632	352	H 496
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359	S 1021	400	S 242	441	H 694
360	H 994	401	S 243	442	S 570
361	S 341	402	S 357	443	S 229
362	S 325	403	S 423	444	S 258
363	H 239	404	S 293	445	S 388
364	S 563	405	S 653	446	S 404
365	S 704	406	S 751	447	S 668
366	H 645	407	S 896	448	S 792
367	S 437	408	S 899	449	S 864
368	S 706	409	S 990	450	H 6
369	S 858	410	H 504	451	H 360
370	H 142	411	S 541	452	H 390
371	S 701	412	H 556	453	H 807
372	H 783	413	H 447	454	S 237
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375	S 597	416	S 119	457	S 159
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